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EDITORIAL NOTE

The Ninth Lok Sabha was constituted on 2 December 1989 and the House met for the first time on 18 December 1989. On behalf of the *Journal of Parliamentary Information* and its worldwide readership, we offer our heartiest felicitations to Shri Rabi Ray on his unanimous election as Speaker of the Ninth Lok Sabha on 19 December 1989. We also congratulate Shri Shivraj V. Patil on his unanimous election as Deputy Speaker of Lok Sabha on 19 March 1990. We include in this issue a feature on the Speaker's election. Our next issue will carry a feature on the election of the Deputy Speaker.

The present number of the *Journal,* first for the year 1990, opens with an article on "The Speaker of a State Legislature in India : My Reminiscences" by Shri Prasanna Kumar Dash, Speaker, Orissa Legislative Assembly. Recounting his own experiences, Shri Dash rightly observes that the Speaker plays a vital role in protecting and upholding people's liberties and crystalising popular will. The author feels that since the office of the Speaker is akin to that of a judge, its incumbent should be a person of democratic temperament with deep faith in democratic values. He adds that the Speaker should have long years of experience as a member of the House, because such experience is essential for him to read the mind of the House and correctly interpret its wishes. Shri Dash suggests that the Speaker should, "instead of blatantly supporting the Government stand", work as the representative of the House and give expression to its feelings and opinions. In conclusion, Shri Dash deplores the frequency of serious disturbances in the legislatures and says that "if situation is allowed to drift it might snowball and ultimately prove disastrous to our democratic system".

In the second article, "Impact of Parliament on Government", Sardar Surjit Singh Minhas, Speaker, Punjab Legislative Assembly asserts, at the outset, that Parliament is expected to exercise effective check over the actions of the Government, but in actual practice, as long as the Government commands a majority in Parliament, their power is practically unlimited. Notwithstanding this, he feels, parliamentary over-sight on the Government is always there. Referring to several instances in this context, Shri Minhas notes that there have been many occasions when issues raised in Parliament had obliged the Government to change their course of action or even their policy in respect of certain matters. The author concludes that the most important check on Government's power is the existence of a vigilant Parliament, which can compel the Government to change its policy or course of action. He asserts that "however powerful

the Government may be, they cannot afford to ignore the public opinion both inside and outside the Houses of Parliament. They must know when to yield and it is important to yield gracefully".

The members of Lok Sabha, who are elected by universal adult franchise through a process of direct election, come from all parts of the country, with different educational backgrounds, from varying age groups and from diverse professional fields. But, they are all united by their chief credentials of being the duly elected representatives of the people. The third article, "The Ninth Lok Sabha: Socio-Economic Analysis of Membership", gives a clue to understanding the process of change and/or continuity in the representative character of our legislative leadership by analysing the socio-economic profile of members of the new Lok Sabha.

We congratulate Sarvashri P. Ramachandra Reddy, Luis Proto Barbosa, Barjorji Pardiwala, S.M. Krishna, P. Ripple Kyntiah, Dorjee Tshering Bhutia and Hari Kishan Srivastava on their election as Speakers of the Legislative Assemblies of Andhra Pradesh, Goa, Gujarat, Karnataka, Meghalaya, Sikkim and Uttar Pradesh, respectively. We also extend our felicitations to Shri B.S. Pant on his election as Deputy Speaker of the Sikkim Legislative Assembly.

This issue carries the other regular features, *viz.*, parliamentary events and activities, privilege issues, procedural matters, parliamentary and constitutional developments, documents of constitutional and parliamentary interest, and a brief resume of the sessions of the two Houses of Parliament and State Legislatures and recent literature of parliamentary interest.

We are constantly endeavouring to make this *Journal* more useful and informative, and would always welcome suggestions for further improvement. Also, practice and problem oriented non-partisan articles in the field of parliamentary institutions and procedures are welcome from Members of Parliament, scholars and others.

— *Subhash C. Kashyap*

1

THE SPEAKER OF A STATE LEGISLATURE IN INDIA: MY REMINISCENCES

PRASANNA KUMAR DASH

The office of the Speaker occupies a pivotal position in the parliamentary democracy. As the Presiding Officer of the House that represents the people, the Speaker plays a vital role in protecting and upholding people's liberties and crystalising popular will.

The people of India have adopted the Westminster model of parliamentary democracy with a written constitution. The system has worked more or less satisfactorily over the years. The functioning of democratic institutions in India over a period of four decades has established that for the success of our system, the institutions and the rules are no doubt important but equally important are the persons who work for them and the way they work. In his concluding speech as the President of the Constituent Assembly, Dr. Rajendra Prasad had rightly said, "We have prepared a democratic Constitution. But successful working of democratic institutions requires in those who have to work them willingness to respect the viewpoints of others, capacity for compromise and accommodation... If the people who are elected are capable and men of character and integrity, they would be able to make the best even of a defective Constitution. If they are lacking in these, the Constitution cannot help the country". India was fortunate in her early years of independence to have a large number of leaders, all dedicated, knowledgeable, competent and actuated with spirit of service, who gave her a Constitution and also showed the way how to work it. Their commitment to democracy was beyond any doubt.

The legislature, which represents the people, stands at the centre of all the democratic institutions the Constitution of India has created. Both the conflicts and consensus within the body politic find expression in the Legislature. Legislature reflects both the aspirations and frustrations of the people. It gives definite and authoritative form and expression to the will of the people, defines their problems and provides solution to them. The success and failure of the Legislature to fulfil its role and functions determine ultimately the success and failure

of democracy in a country. Needless to say, the Speaker plays a significant part in the role fulfilment of the Legislature.

My career as a legislator began with my election to the Orissa Legislative Assembly in 1952. By 1984, I had already worked as a legislator for about 28 years, both as a member of the party in Opposition and of the party in power. On being persuaded both by the members of the Opposition and the members of the treasury benches to accept the office of Speaker, I was elected the Speaker of the Orissa Legislative Assembly uncontested. On my election to the Assembly in 1985, I was re-elected the Speaker for the second time and at present I continue to hold the office. My long and rich experience as a legislator, both on the Opposition and the treasury benches has been of great help to me in my work as the Presiding Officer of the Orissa Legislative Assembly.

My legislative career has witnessed varied phases in the life of the Legislature; both peaceful and turbulent. The first Assembly with large number of freedom fighters which was committed to democratic values, was restless to redeem the promises of the revolution. The serene atmosphere in the Assembly then reflected determination of the people to achieve a better future for themselves. In the recent times, turbulent and violent scenes in the Assembly reflect the erosion of democratic values and deep frustration in the body politic. But people still have faith in democratic values and institutions and it is for us—the repository of the trust—to strengthen and reinforce that faith.

In India the Speaker comes from the party in power. During the tenure of his office he usually continues to remain a member of the party, though he ordinarily refrains himself from active participation in the party affairs. At the end of his tenure, he has to seek nomination from his party and contest election with the support of his party, for in India, a tradition has not developed that the Speaker would continue in office irrespective of the fate of the party he belongs to, as is the case in U.K. In such a situation it is no easy task for a Speaker to maintain impartiality. However, the Speaker should maintain impartiality and distinguish between his duty to the Legislature and his allegiance to the party, if democracy is to function smoothly. It is no doubt difficult, but not impossible.

The office of the Speaker is akin to that of a judge and the Legislature is indeed the people's court with a difference. In case of Legislature there is no higher court of appeal except the sovereign people. The Speaker interprets the wishes of the House as well as its rule of procedure and practice. The House alone can change its rules of procedure and practice. Through his interpretation, the Speaker exercises significant influence on conduct of business in the House. While the decision of the judge takes

into account the arguments made on behalf of the plaintiff and the defendant, the ruling given by the Speaker is not based on some argument or counter-argument. Before a ruling is delivered, the Speaker has to take into consideration constitutional and legal aspects of the issue as well as the convention of the House, privilege and honour of the members and the prevailing political situation. The Speaker should be a person of democratic temperament with deep faith in democratic values. Before a person is elected Speaker, he should have long years of experience as a member of the House, as such experience is essential for him to read the mind of the House and correctly interpret its wishes. He should also have such a personality which commands natural respect of the members.

The practice of appointing Speaker a Minister militates against parliamentary practice which may unduly compromise impartiality of the Speaker, the most essential ingredient in a system which values the honest expression of differences in the open debate. In the interest of parliamentary democracy, the political parties should at least, in absence of a general consensus on a better tradition, consider evolving a tradition of letting the Speaker continue in his office, if he gets re-elected and the party he belongs to, also comes back to power, after the general elections.

During my tenure as Speaker I have always tried to maintain impartiality to best of my ability under the circumstances. I have never lost sight of my duty to the Legislature even in difficult situations. Rather, on balance, though situation was at times nerve-racking, I have kept myself within the fine tradition of parliamentary democracy. In a House where the party in power has preponderate majority, ensuring the rights of members in Opposition as well as of dissenting members of the ruling party to express themselves on the floor of the House and to elicit information from the Government is no easy task. At the same time, democracy to be meaningful, demands that all the points of view represented in the Legislature should have adequate opportunity to express themselves on the floor of the House.

In a democracy, the Opposition and the party in power form part of the system. In fact, the Opposition is the Government in waiting. The Opposition have the right to criticise the omissions and commissions of the Government and express themselves on matters of public concern freely and fearlessly. At the same time, the Government have the duty to carry on administration, fulfil the pledge they have given to the people during elections and give the people efficient and clean Government. The Opposition have no right to obstruct the Government in performance of their duty. On the other hand, the Government also have no right to

suppress the Opposition and deny them their legitimate right to criticise the administration. What is required of the parties/groups in the Opposition and the parties/groups in power is that they should have faith in democratic values and respect for democratic institutions and way of life. The Opposition should appreciate the difficulties of the Government, which should in turn, respect their views. For, mutual respect for each other can alone sustain the democratic edifice. Hence, it becomes a matter of little consequence which party remains in power. What is of importance is that democratic norms and procedures are respected and observed in resolution of all problems, if democracy is to survive.

Members are elected to the Legislature to put forth the grievances of the people, to discuss the ways how best to promote the interests of the people, assess adequacy of the steps taken by Government for the purpose and enact measures for better administration. If they are denied due opportunity on some plea or the other to express their views or to get information from the Government there is bound to be indiscipline in the House. Therefore, the Speaker has the responsibility to give a fair deal to the members. However, he has to work under the rules of procedure of the House. Philip Laundy in this regard rightly observes, "On his (Speaker's) fair interpretation of rules of procedure depends the protection of the rights of members. In protecting these rights he is protecting the political freedom of the people as a whole". He should no doubt be flexible in dealing with situations, but he should insist on democratic norms and procedure; or else the Government by discussion may lose its direction and credibility.

Questions are the most important means to elicit information from the Government. Under Rules of Procedure in the Orissa Legislative Assembly, no member can give notice of more than three Starred Questions and five Unstarred Questions for any day and not more than two Starred Questions can be asked with short notice on any day. The inadequacy of this provision led the Assembly to adopt a rule under which a member can raise a matter of urgent public importance in the House with previous permission of the Speaker, which is called *Submission*. A submission can be made during the Zero Hour. Ordinarily not more than five matters can be raised by five members in any sitting. When a submission is made, the Minister may or may not be present and even if he is present, he is not required to answer it. Under the Direction of the Speaker, the Questions raised as submissions in the House are sent to the concerned Departments of the Government with directions to send their replies within seven days. This system has worked well to the satisfaction of members. Thus a new tradition has evolved. I am happy that it was my Direction as the Speaker which has fulfilled the long-felt need of the members.

Under our rules at least two adjournment motions and two calling attention notices can be made in the Assembly on any day. Immediately after the Question hour, first adjournment motions and then calling attention notices are taken up. When a matter is raised on an adjournment motion, the Government come forward with a statement on the issue under consideration and our experience has been that people get speedy remedy as a consequence. It appears that the adjournment motion in the Assembly shakes up the administration, which is otherwise indifferent and insensitive to the problems of the people. A Union Minister was once surprised to know that two adjournment motions were taken up every day in our Assembly and enquired how did we get time for the same. Of course, we are hard pressed for time. As adjournment motions have been found useful, time is found for them by shortening time for discussion on other matters. We take up discussions on Budget and Bills in the afternoon sittings and continue the work till late in the night and sometimes till 4 a.m. next morning. I feel, measures through which people get some immediate benefit or speedy redressal of their grievances, should be taken up in early part of the day and matters of formal nature in the afternoon sittings.

Disturbances in the legislatures in India these days have become a regular feature. There appears to be more of reflection of frustration in our body politic. Government's inaction or half-hearted measures to alleviate people's suffering or to solve people's problems, in large measure, create dissatisfaction among the members of both the Ruling and the Opposition parties giving rise to sporadic disturbances in the House. But, there are other reasons as well. Now we are having large number of legislators who have little knowledge of parliamentary procedure. Moreover, there are a good number of them, whose commitment to democratic values is doubtful. In such a situation the task of the Speaker has become very difficult. No doubt, the Speaker has been given lot of powers to maintain discipline in the House. The members do not have right to protest against his ruling or to cast any aspersion on him. He can ask a member to withdraw from the House for the rest of the sitting for his disorderly conduct. In case a member persists in obstructing the proceedings of the House, the Speaker has the power to get the member expelled from the House for the rest of the Session. I have been Speaker for more than five years. But during my Speakership I have never resorted to such an extreme measure, despite there having been cases of pandemonium in the Assembly. A member is expelled from the House only when he is named by the Speaker and the Assembly adopts a motion for his expulsion moved by a member from the treasury benches. If the Speaker does not name, no step can be taken for expulsion of the member. In

case of unusual disturbances, I usually adjourn the House and try for a solution. There are also cases where no solution is reached and disturbances persist. In such cases the Speaker is either to name the members and restore normalcy in the House or to get the Bills and Demand for Grants passed amidst disturbances. I have invariably resorted to latter course. For, I believe, the former course if resorted to, may make it easier for a Bill to be passed in the absence of disturbing members, but usually they never repent for their conduct, rather they feel encouraged to indulge in disturbances. My experience has been that the latter course is rewarding. Members have been ashamed of their conduct when the Bills and the Demand for Grants are passed in their presence without their participation. There have been numerous instances when the House was adjourned due to disturbances therein; members came to me, repented for their conduct and asked for forgiveness.

The rules permit adjournment motions, calling attention notices and short notice questions under certain conditions. They are of special nature. Matters of urgent public importance are taken up in such cases. The Speaker has to exercise tact and responsibility in admitting such motions. In dealing with such motions, the Speaker ought to be impartial and democratic and give fair deal to the members. During discussion on such motions there are times when the Speaker has to deal with difficult situations. In order to defuse the tension the Speaker has to act. Where I sense consensus in the House, I suggest a definite measure to get over the impasse. Though this is in nature of advice, both the Government and the Opposition accept it as a directive; tension in the House is eased and members feel satisfied. There have been number of cases over which the whole House, irrespective of party affiliations, became agitated, for instance, starvation deaths in the district of Kalahandi or submersion of land by irrigation project of a neighbouring State. I had asked the Ministers concerned to make an on-the-spot study and report or make a statement in regard to the steps taken by the Government in the respective matters to the Assembly before the end of the Session. This advice has always been gracefully accepted and statements made by the Ministers concerned in the Assembly which has assuaged the feelings of the members.

I believe, the Speaker should work as the representative of the House and give expression to its feelings and opinions. Instead of blatantly supporting the Government stand he should work in a manner which satisfies the feelings of the cross section of the House. That way he helps not only to remove the dissatisfaction of the members, but sustains their faith as well as those of the people outside in the efficacy of democratic methods.

Under the Constitution, members of the Legislature enjoy privileges and

immunities for performance of their duty in the Legislature. But no such privilege is available to them in the discharge of their duty in different public bodies of which they are members by virtue of their membership in the Legislature. There have been cases of expulsion of members from the meetings and their arrest during the meetings of such bodies. Orissa Legislative Assembly has evolved a tradition to deal with such situations. The House refers such matters on receipt of definite complaints from the members to a Committee of the House. In fact, in number of such cases, the House has already acted on the Committee reports and steps taken to preserve the rights of the members for safe discharge of their public duties with dignity.

In recent years, serious disturbances in Legislatures have become frequent. In some States, police has been called to control pandemonium in the House. This is really disturbing. People send their representatives with high hopes. The members are expected to put forth the grievances of the people on the floor of the House, seek redressal for such grievances, criticise the Government for their omissions and commissions, suggest measures for better administration, extend their support to the Government where they feel governmental measures are in the interest of the people. Instead, these days members have forgotten their sacred duty, by creating disturbances and obstructing the proceedings of the House. They even *gherao* the Speaker and do not hesitate to show gross disrespect to the Chair. Between 1952 and 1980 such disturbances were few and far between. Whenever disturbance in the House did occur, it was on some specific issue. But since 1980, such disturbances have become endemic. We have to give a serious thought to this growing menace. If situation is allowed to drift it might snowball and ultimately prove disastrous to our democratic system.

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IMPACT OF PARLIAMENT ON GOVERNMENT

SURJIT SINGH MINHAS

Parliament is the supreme representative institution of the people of India. Its primary function is to keep in closest touch with the emerging needs and problems of the people and to voice their urges and aspirations. It has to keep a vigilant eye on the administration to ensure that laws and public policies are implemented efficiently and effectively in a manner that causes no injustice and undue hardship to any individual or any section of the society. Thus, Parliament is expected to exercise effective check over the actions of the Government. But in actual practice, as long as the Government commands a majority in Parliament its power is practically unlimited. Notwithstanding this, parliamentary oversight on the Government is always there. There have been a number of occasions in parliamentary history of our country as well as that of other countries when a debate or a discussion in Parliament forced the Government to alter their stand on a particular issue. For example, the British Labour Government's policy towards Isreal was changed because of a stormy debate in the House of Commons.

In our country there have been many occasions when issues raised in Parliament had obliged the Government to change their course of action or even their policy in respect of certain matters. For instance, following the debacle suffered during the Chinese invasion of India in 1962, there was great uproar in Parliament and a persistent demand was made for the removal of the then Defence Minister, Shri Krishna Menon from the Cabinet. It was a very hard decision for the Prime Minister Shri Jawaharlal Nehru, who highly valued the advice of Shri Menon and held him in high esteem for his keen intellect and knowledge of international affairs. The pressure for the removal of Shri Menon in the Parliament had reached to such an extent that even the President, Dr. S. Radhakrishnan, had to intervene. Ultimately, Pandit Nehru had to bow to the wishes of Parliament by seeking resignation from Shri Krishna Menon.

Similarly, Pandit Nehru being committed to parliamentary form of Government was always conscious of the answerability of the Government to Parliament. He used to keep Parliament aware of the issues and developments concerning the nation. He would not keep back from the

House any matter or development of both national and international interest and concern. However, in the case of Sino-Indian border incidents, Pandit Nehru did not keep Parliament informed of the latest situation. When China's intrusion into Aksai Chin came to light there was a great hue and cry in Parliament. Pandit Nehru tried to pacify the sentiments of members by maintaining that the area was arid and barren and not even a blade of grass grew there. But, all these arguments of Pandit Nehru could not convince members and he had to apologise to them for the lapse on the part of the Government. Thus Pandit Nehru, as the Prime Minister, submitted to the supremacy of Parliament.

There is another instance when the Government had to bow before the wishes of Parliament. The leaders of the Opposition parties in Punjab submitted a Memorandum to the President in July 1963 making certain allegations against the then Chief Minister of Punjab, Sardar Partap Singh Kairon. The matter was raised in Rajya Sabha and a persistent demand was made for the appointment of an inquiry commission to go into charges of corruption levelled against Shri Kairon. Pandit Nehru was initially reluctant to appoint any such commission as he was quite impressed by the performance of Punjab Government under the Chief Ministership of Shri Kairon. But as the issue came up before the House repeatedly, the Government, bowing to the wishes of Parliament, announced the appointment of an Inquiry Commission headed by Shri S.R. Dass, retired Chief Justice of the Supreme Court. Consequently, Shri Kairon, on being indicted by the Commission, had to resign from the Chief Ministership.

Again, when the Government introduced the Defamation Bill in Lok Sabha on 29 August 1988 and intended to get it passed on the same day, members of Parliament expressed their strong resentment and misgivings about the Bill and staged walkouts. The Government, however, got the Bill passed in Lok Sabha the next day and also announced that the Bill would be considered by Rajya Sabha on 5 September 1988. Faced with storms of protests by members of Parliament and criticism by the Press, the Government deferred consideration of the Bill in Rajya Sabha and set up a high-level committee for wider consultations on the issue. Members of Parliament felt that it was a direct attack on the freedom of the Press and proposed amendments in the controversial Bill were an encroachment upon the fundamental rights of speech and expression of the citizens. At last, bowing to the mounting pressure of Parliament, the Press and the public, the Government had to retract its decision and announced on 22 September 1988 that they were not going to make the controversial Defamation Bill a law.

Earlier, in 1982, the Bihar Government under the stewardship of Dr. Jagan Nath Mishra had introduced the Press Bill so as to put the newspapers under control. Members of Bihar Legislative Assembly

opposed the Bill tooth and nail. The national Press also raised a united voice against the Bill. The prompt and massive retaliation which the Bill had provoked throughout the country forced the Bihar Government to withdraw the same.

After the assassination of the Prime Minister, Shrimati Indira Gandhi on 31 October 1984, an Inquiry Commission headed by a sitting judge of the Supreme Court, Justice M.P. Thakkar, was set up to investigate into the circumstances which led to the tragic incident. Accordingly, Thakkar Commission presented a 343-page interim Report in November 1985 and 314-page final Report on 27 February 1986, but the same were not placed before Parliament. The then Govenment instead got the Commission of Inquiry Act amended and sought exemption from presenting the report to Parliament. However, on 14 March 1989, a synopsis of the Thakkar Commission's Report appeared in the Press which made certain startling revelations. Members of Parliament expressed their resentment since the Report had been kept away from Parliament on the plea that its disclosure would endanger the security of the country but according to the Press report it was not so. The members persistently raised the matter in the House, sat in *dharna* and demanded immediate laying of the Report on the Table of the House. The Press and the public also raised their voices against withholding of the Report. Initially, the Government expressed their firm resolve not to present the Report but ultimately they had to yield under mounting pressure when the Prime Minister announced in Lok Sabha on 17 March 1989 that Thakkar Commission's Report would be laid on the Table of the House on 27 March 1989. This achievement of Parliament assumed great significance, particularly in view of the fact that the Government were backed by an action which provided exemption to them from presenting the Report before Parliament.

Immediately after the assassination of Shrimati Indira Gandhi, there was a large scale violence and persecution of persons belonging to a particular community at many places in the country and no adequate steps were taken for punishing the guilty. However, after some time the saner elements of the society realised that it would lead to serious consequences if no action was taken against the guilty. A demand for the appointment of a Commission to prove the whole issue was thus raised by members of Parliament, the Press and the civil liberty organisations. Initially, the Government did not pay any heed, but ultimately they had to yield to the constant pressure of members of Parliament and they appointed a Commission on 26 April 1985 under the chairmanship of Justice Ranga Nath Mishra.

The previous Government at the Union, with a view to endowing Panchayats with more powers and authority, proposed to add a new part

to the Constitution relating to Panchayats. The issue was discussed at various platforms by the then Prime Minister and other functionaries of the Government and a text of the Bill which the Government had drafted, was prematurely published by a newspaper in its issue dated 10 May 1989. According to the news report, under the proposed Bill, the Government had vested the Governors with extra-ordinary powers to dissolve Panchayati Raj bodies and had not given the State Legislatures the powers to rectify or reject the dissolution orders. Similarly, in regard to the appointment of proposed Finance Commissions to review the financial position of the Panchayats, the Bill had failed to spell out the powers of the State Legislatures *vis-a-vis* the Finance Commissions. The Government, soon thereafter, came under strong criticism in Lok Sabha. The Opposition parties and the Opposition-ruled State Governments also criticised the proposed Bill on the ground that it would curtail the powers of the State Governments. There was also reaction in the public and the Press. The mounting criticism eventually forced the Union Government to take a quick side step and redraft the Bill.

In the final version of the Bill, which was introduced in Lok Sabha on 15 May 1989, the Governors no loger enjoyed the powers to dissolve the Panchayats. Such powers were proposed to be exercised by the State Legislatures. Similarly, with regard to the proposed Finance Commissions, the Bill provided that the powers, procedure and composition of the State Finance Commissions, shall be governed by the State Legislatures. However, even the revised version of the Bill met with stiff resistance from Opposition members who contended that the objectives sought to be achieved through the Bill could have been achieved by the State Governments under the existing provisions of the Constitution and that there was no need for the proposed measure. As the Bill attracted severe criticism from the Opposition members in Parliament and adverse reaction from the Press and the public at large, the Government were forced to postpone its passage to the Monsoon Session so that its merits and demerits could be discussed in the interim period through a public debate. The Bill which was passed by Lok Sabha, was not, however, approved by Rajya Sabha.

In the modern democratic system of Government, while the Cabinet decides major questions of policy, the most important check on Government's power is the existence of a vigilant Parliament which, if it feels that a particular measure is against the national interest, can compel the Government to change its policy or course of action. Howsoever powerful the Government may be, they cannot afford to ignore the public opinion both inside and outside the Houses of Parliament. They must know when to yield and it is important to yield gracefully.

THE NINTH LOK SABHA: SOCIO-ECONOMIC ANALYSIS OF MEMBERSHIP

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DR. SUBHASH C. KASHYAP

As the supreme representative institution, Parliament has over the years played a vital role in shaping the destinies of the people in a variety of ways. The character which this august body acquires after each general election is directly relatable to the quality and the background of its members. Members of Lok Sabha (House of the People) are elected by universal adult franchise through a process of direct election from single member territorial constituencies. They come from all parts of the country, with different educational backgrounds, from varying age groups and from very diverse professional fields. But, they are all united by their chief credentials of being the duly elected representatives of the people of India. The clue to understanding the process of change and/or continuity in the representative dimension of our legislative leadership lies in an analysis of the socio-economic profile of members of the new Lok Sabha.

Time and again, the Indian voter has proved his inherent faith in the democratic process and in parliamentary institutions. The elections to the Ninth Lok Sabha have heralded another new era in the life of parliamentary democracy in our country. The voter has once again demonstrated that he is conscious of the power of his ballot and that he is capable of changing the Government at will through the peaceful, constitutional and democratic mechanism of the electoral process. With the lowering of voting age from 21 to 18 years, we have nearly 500 million voters*. With no single political party having succeeded in securing an absolute majority of its own in the House, we have, for the first time what in parliamentary parlance, has been described by some as a 'hung' Parliament and a Government which, in the words of the new Prime Minister, is a 'minority government' with a 'majority support'. The Government formed by the Janata Dal which has a strength of 137 members in the House, is being supported from outside by the Bharatiya Janata Party (86 memebrs) and

*Incidentally, it may be pointed out that the present author had been advocating the reduction of voting age to 18 for the last 20 years. *See* for example, Subhash C. Kashyap, 'Lowering the Voting Age' in *Elections and Electoral Reforms in India*, Institute of Constitutional and Parliamentary Studies, Sterling, New Delhi, 1971. pp. 87—93; 'A Plea for enfranchising Youth' *The Hindustan Times*, 23 and 24 June 1970.

the left parties [CPI(M)—32, CPI—12 and Forward Bloc—3 members]. Table 1 indicates the details of the party position in the Ninth Lok Sabha as on 3 January 1990. Unlike the Eighth Lok Sabha which did not have a recognised Opposition Party, the present House has the unique distinction of having the single largest party—the Indian National Congress(I) with 196 members—being officially recognised as the Opposition. The Opposition Party is led by former Prime Minister with the rank of a Cabinet Minister.

The Ninth Lok Sabha was duly constituted on 2 December 1989. The House met for the first time on 18 December 1989. Professor N.G. Ranga of the Congress(I), the senior-most member, who was appointed Speaker *pro tem* by the President, administered the oath of office to the new members. Shri Rabi Ray was unanimously elected the Speaker on 19 December 1989.

The Constitution provides that subject to the provision for nomination by the President of two members for representation of the Anglo-Indian community, the House of the People shall consist of not more than five hundred and thirty members chosen from territorial constituencies in the States and not more than twenty members to represent the Union Terrtories. The actual strength of the Ninth Lok Sabha at the time of its constitution was 525, elections having not been held in Assam along with the general elections. In the meanwhile, two members who were elected simultaneously from two constituencies resigned one seat each and another member having been elected also to the Uttar Pradesh Legislative Assembly opted to retain his seat in the Assembly and resigned his membership in the Lok Sabha, thus reducing the number of members so far elected to 522. From among these, four members had not taken oath of office by the end of the first session of the Ninth Lok Sabha on 30 December 1989.

Bio-data of 517 members as collected from the members themselves constitute the basis of the present analysis. In some cases all the necessary particulars in respect of the date of birth, educational qualifications, occupation etc. are not available. With these limitations the article seeks to discuss the parameters of the age profile, level of educational qualifications, occupational background, marital status and previous legislative experience of the members of the Ninth Lok Sabha as compared to the members of the previous Lok Sabhas in general and that of the Eighth Lok Sabha in particular.

Age profile: The Constitution lays down no upper age limit for membership of Parliament. But it prescribes a minimum age of 25 years to contest election for membership of Lok Sabha (House of the People) and 30 years for membership of Rajya Sabha (Council of States).

TABLE 1

PARTY POSITION IN NINTH LOK SABHA
(As on 3 January 1990)

Sl. No.	State/ Union Territory	No. of seats	Cong. (I)	Janata Dal	BJP	CPI (M)	CPI	AIADMK	Other par -ties	Inde- pen -dent	Total	Vacan- cies
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
	STATES											
1.	Andhra Pradesh	42	39	—	—	—	—	—	3(a)	—	42	—
2.	Arunachal Pradesh	2	2	—	—	—	—	—	—	—	2	—
3.	Assam	14	—	—	—	—	—	—	—	—	—	14
4.	Bihar	54	4	30	9	1	4	—	5(b)	—	53	1
5.	Goa	2	1	—	—	—	—	—	1(c)	—	1	—
6.	Gujarat	26	3	11	12	—	—	—	—	—	26	—
7.	Haryana	10	4	5	—	—	—	—	—	—	9	1
8.	Himachal Pradesh	4	1	—	3	—	—	—	—	—	4	—
9.	Jammu & Kashmir	6	2	—	—	—	—	—	3(d)	1	6	—
10.	Karnataka	28	27	1	—	—	—	—	—	—	28	—
11.	Kerala	20	14	—	—	2	—	—	4(e)	—	20	—
12.	Madhya Pradesh	40	8	3	27	—	—	—	—	1	39	1
13.	Maharashtra	48	28	5	10	—	1	—	1(f)	3	48	—
14.	Manipur	2	2	—	—	—	—	—	—	—	2	—
15.	Meghalaya	2	2	—	—	—	—	—	—	—	2	—
16.	Mizoram	1	1	—	—	—	—	—	—	—	1	—
17.	Nagaland	1	1	—	—	—	—	—	—	—	1	—
18.	Orissa	21	3	15	—	1	1	—	—	—	20(k)	—
19.	Punjab	13	2	1	—	—	—	—	6(g)	3	12	1
20.	Rajasthan	25	—	11	13	1	—	—	—	—	25	—
21.	Sikkim	1	—	—	—	—	—	—	1(h)	—	1	—

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
22	Tamil Nadu	39	26	—	—	—	—	11	—	—	38	1
23.	Tripura	2	2	—	—	—	1	—	—	—	2	—
24.	Uttar Pradesh	85	15	53	8	1	2	—	3(i)	2	84	1
25.	West Bengal	42*	4	—	—	26	3	—	8(j)	—	41	1
	UNION TERRITORIES											
26.	Andaman & Nicobar Islands	1	1	—	—	—	—	—	—	—	1	—
27.	Chandigarh	1	—	1	—	—	—	—	—	—	1	—
28.	Dadar & Nagar Haveli	1	—	—	—	—	—	—	—	1	1	—
29.	Daman & Diu	1	—	—	—	—	—	—	—	1	1	—
30.	Delhi	7	2	1	4	—	—	—	—	—	7	—
31.	Lakshadweep	1	1	—	—	—	—	—	—	—	1	—
32.	Pondicherry	1	1	—	—	—	—	—	—	—	1	—
	Total	543*	196	137	86	32	12	11	36	12	521(k)	21

* Does not include two members of the Anglo-Indian Community whom the President nominates under article 331 of the Constitution.

(a) Telugu Desam — 2; All India Majlis-e-Ittehadul Muslimeen — 1.
(b) Jharkhand Mukti Morcha — 3; Indian People's Front — 1; Marxist Co-ordination — 1.
(c) Maharashtrawadi Gomantak Party — 1.
(d) National Conference — 3.
(e) Muslim League — 2; Indian Congress Socialist (Sarat Chandra Sinha) — 1; Kerala Congress(M) — 1.
(f) Shiv Sena — 1.
(g) Shiromani Akali Dal (Simaranjit Singh Mann)—5; Bahujan Samaj Party — 1.
(h) Sikkim Sangram Parishad — 1.
(i) Bahujan Samaj Party — 2; Akhil Bharatiya Hindu Maha Sabha — 1.
(j) Revolutionary Socialist Party — 4; Forward Bloc — 3; Gorkha National Liberation Front — 1.
(k) Excluding the Speaker.

The average age of members in the various Lok Sabhas is indicated in Graph 1. It will be observed therefrom that the Ninth Lok Sabha is younger than the Eighth Lok Sabha with the average age of its members being 47.8 years as against 51.4 in case of its immediate predecessor. In fact, in terms of average age, the present Lok Sabha is the third youngest House after the First and the Second Lok Sabhas with average age of 46.5 and 46.7 years, respectively. By this yardstick, in terms of averages, the Sixth Lok Sabha with the average age of its members being 52.1 years, had the distinction of being the oldest House thus far.

For the purpose of a little more detailed analysis, the members may be categorised into 13 different age groups with a span of 5 years each, beginning with the age group of 25-30 years and ending with 86-90 years. Table 2 gives comparative position about the distribution of members of the nine Lok Sabhas so far in terms of different age groups. In Graph 2, however, seven different age groups have been taken with a span of 10 years each, beginning with the age group of 25-35 and ending with 86-95 years.

In the Ninth Lok Sabha, as has been the case in all the previous Lok Sabhas, the middle-aged members, *i.e.* in the age group of 41-55 years, have the largest representation. They constitute 47.8 per cent in the Ninth Lok Sabha. Their representation was the highest in the Fifth Lok Sabha (53.2 per cent) and was the lowest in the Eighth Lok Sabha (42.1 per cent). Young members who are either 40 or below have less representation in the Ninth Lok Sabha (17.74 per cent) as compared to 19.4 per cent in the previous House. The representation of this group was the highest in the Second Lok Sabha with 33.6 per cent and the lowest in the present House. There has been, however, a substantial improvement (almost double) in the representation of the very young members in the age group of 25-30 years from 1.3 per cent in the Eighth Lok Sabha to 2.92 per cent in the present House. Members in this age group had the largest ever representation of 6 per cent in the First Lok Sabha. Older members who are 56 years of age or above have 34.45 per cent representation in the present Lok Sabha compared to the highest ever representation of 38.5 per cent in the Eighth Lok Sabha. In the First Lok Sabha their representation was only 18.5 per cent. There is no representation of memebrs who are in the age group of 81-85 in the Ninth Lok Sabha whereas their representation registered 0.6 per cent in the Eighth Lok Sabha. Interestingly, in the first two Lok Sabhas, they had no representation. However, for the first time, a member in the age group of 86-90 has been elected to the present House constituting 0.21 per cent of its membership. Thus one of the most notable features of the Ninth Lok Sabha is that it has the unique honour of having the presence of the veteran parliamentarian, Professor N.G. Ranga (89 years), who is at

GRAPH 1

AVERAGE AGE OF MEMBERS PERCENTAGE-WISE—FROM 1st TO 9th LOK SABHA

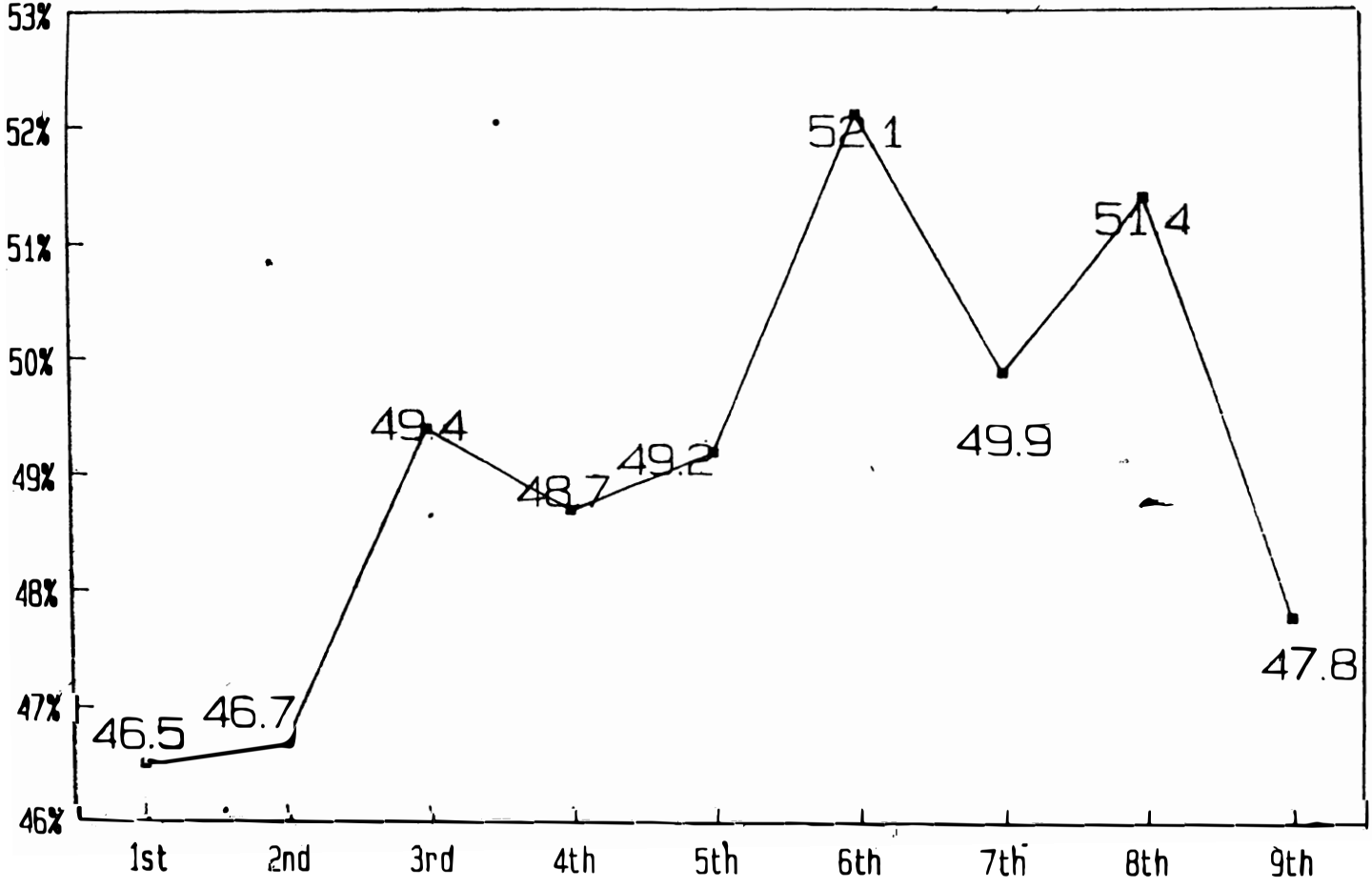


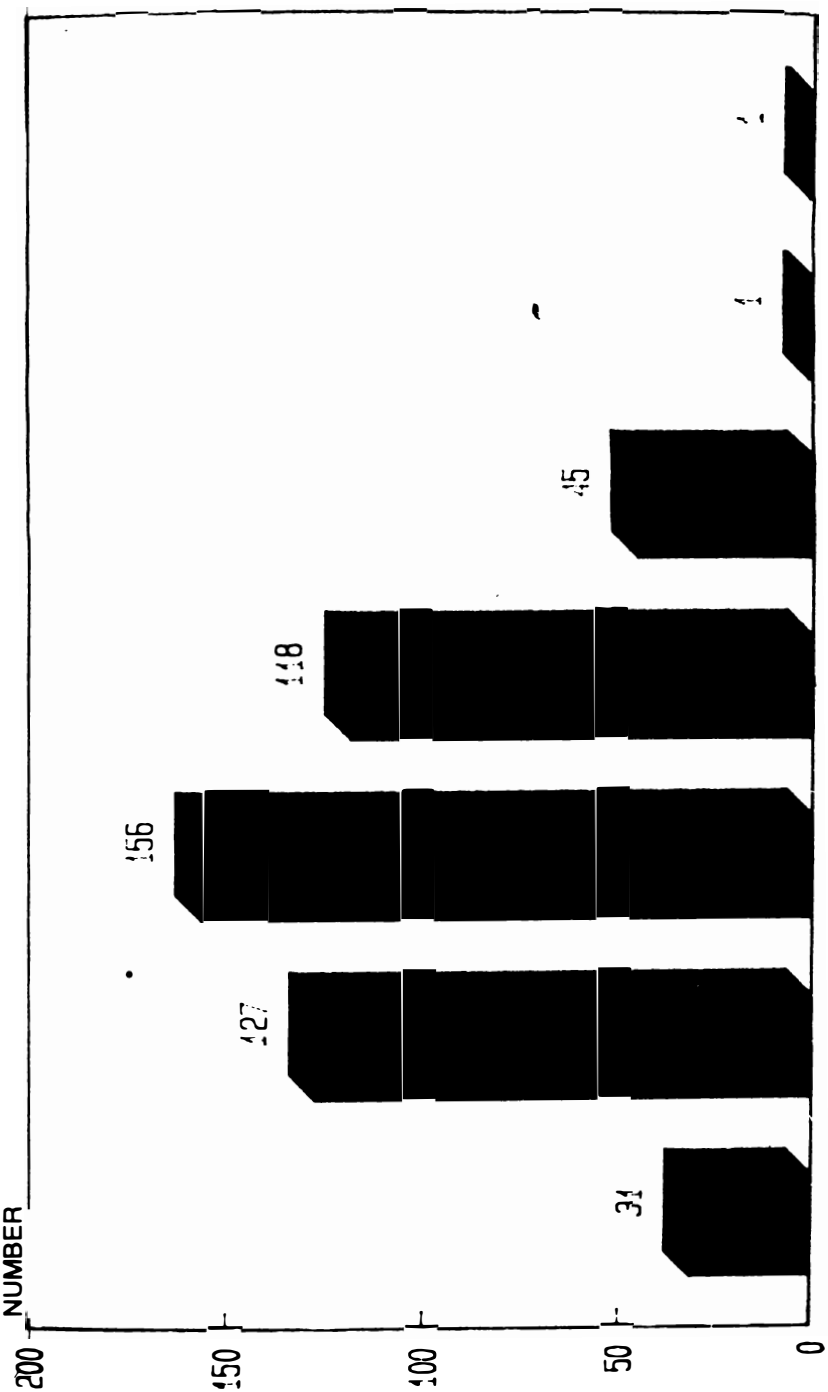
TABLE 2

DISTRIBUTION OF MEMBERS FROM FIRST TO NINTH LOK SABHA BY AGE GROUPS

Age Group	1st L.S.		2nd L.S.		3rd L.S.		4th L.S.		5th L.S.		6th L.S.		7th L.S.		8th L.S.		9th L.S.	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
25-30 years	28	6.0	13	2.6	11	2.3	22	4.4	16	3.1	18	3.5	9	1.7	7	1.3	14	2.92
31-35 years	54	11.6	60	12.3	34	7.1	37	7.5	28	5.5	26	5.0	43	8.3	36	6.8	16	3.34
36-40 years	58	12.5	91	18.7	64	13.7	68	13.7	62	12.3	62	11.9	71	13.7	60	11.3	55	11.48
41-45 years	68	14.7	71	14.6	79	16.6	84	17.0	76	15.0	69	13.3	75	15.5	73	13.7	72	15.03
46-50 years	74	16.0	64	13.1	73	15.4	85	17.0	99	19.6	94	18.1	70	13.5	77	14.5	78	16.28
51-55 years	93	20.3	76	15.6	69	14.5	69	14.0	94	18.6	94	18.1	84	16.2	74	13.9	—	16.49
56-60 years	47	10.1	70	14.4	58	12.2	55	11.0	57	11.3	66	12.7	87	16.8	80	15.1	65	13.57
61-65 years	29	6.2	25	5.1	58	12.2	39	7.3	35	6.9	41	8.0	41	7.9	74	13.9	53	11.06
66-70 years	10	2.0	12	2.4	21	4.4	25	5.0	25	4.9	33	6.4	24	4.6	30	5.7	34	7.10
71-75 years	1	0.2	4	1.0	6	1.2	10	2.0	9	1.7	11	2.1	11	2.1	11	2.1	11	2.30
76-80 years	—	—	—	—	1	0.2	1	0.2	2	0.4	4	0.7	3	0.6	6	1.1	1	0.21
81-85 years	—	—	—	—	1	0.2	1	0.2	1	0.2	1	0.2	1	0.02	3	0.6	—	—
86-90 years	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	0.21
TOTAL	462		486		475		496		504		519		519		531		479	
Total number of seat			500		503		523		521		544		544		544		522	

GRAPH 2

AGE-WISE DISTRIBUTION OF MEMBERS — IX LOK SABHA



present the oldest sitting member in any Legislature of the world. The youngest male member of the present House is Shri Mohan Bhai Delkar (27 years). Similarly, the eldest and the youngest female members in the Ninth Lok Sabha are Shrimati Sheila Kaul (75 years) and Kumari Umabharti (30 years), respectively.

Educational Background: Though our Constitution does not stipulate any formal educationl qualification for membership of Parliament, it would be observed from Table 3 that the members elected to all the nine Lok Sabhas were having good educational qualifications.

For this study, the educational qualifications of the members have been broadly classified into five categories, *viz.*, (i) under-Matriculates, (ii) Matriculates/Higher Secondary or Intermediate Certificate holders, (iii) Graduates, (iv) Post-Graduates (including those with Technical Qualifications), and (v) Doctoral Degree or other higher academic qualification holders. Table 3 shows the number and percentage of members of all the nine Lok Sabhas falling into these categories. Graph 3 indicates the educational background of members, percentage-wise, from First to Ninth Lok Sabhas. Graph 4, however, confines itself to the study of the Ninth Lok Sabha.

As is evident from Table 3 and Graphs 3 and 4, the level of academic qualifications has generally been showing an upward swing with each successive Lok Sabha. The level of increase is particularly noticeable in the categories of Graduates and above.

The Ninth Lok Sabha has the distinction of being the highest educated Lok Sabha ever with the largest proportion of educated members (74.22 per cent) belonging to the category of Graduates and above. This also marks a significant improvement upon the record of the Eighth Lok Sabha with similar percentage being 71.1. The members with Graduate degrees or other higher academic qualifications constituted 65.3 per cent, 63.8 per cent, 58.4 per cent, 55.5 per cent and 53.6 per cent of the total strength of members in the Sixth, Fourth, Fifth, First, Second and Third Lok Sabhas, respectively.

Going by any single category, Graduates account for the largest representation in the Ninth Lok Sabha (43.36 per cent) which is only slightly less than the all time record of the Eighth Lok Sabha (44.6 per cent). The representation of Graduates was the lowest in the Third Lok Sabha (32 per cent).

Interestingly, again, the representation of Post-graduates (including those with technical qualifications) in the Ninth Lok Sabha sets an all-time record of 26.76 per cent as against the Seventh Lok Sabha record of 25.8 per cent. They had a representation to the tune of 24.6 per cent in the

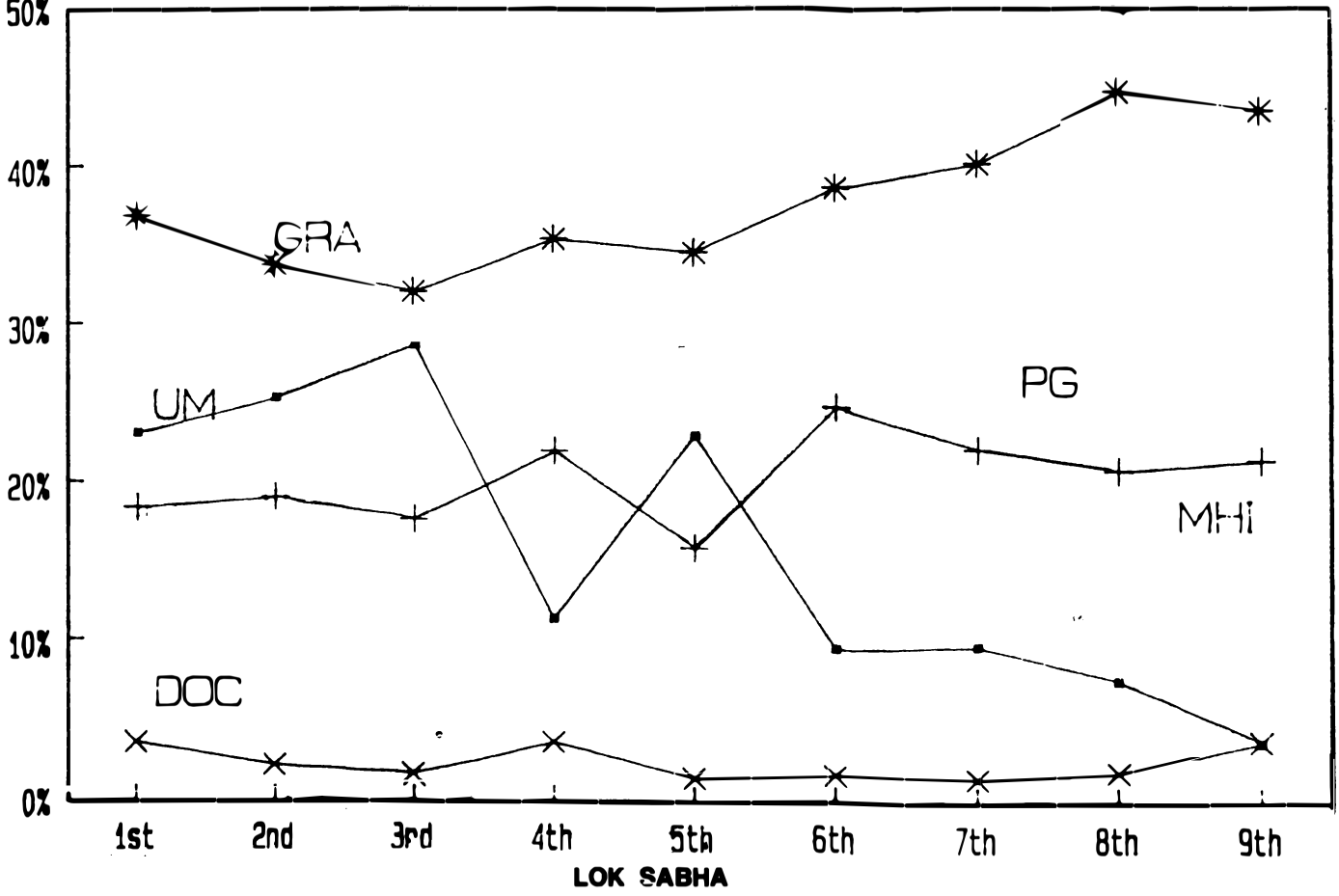
TABLE 3

EDUCATIONAL BACKGROUND OF MEMBERS FROM FIRST TO NINTH LOK SABHA

Educational Background	1st L.S.		2nd L.S.		3rd L.S.		4th L.S.		5th L.S.		6th L.S.		7th L.S.		8th L.S.		9th L.S.	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Under Matriculates	112	23.2	120	25.4	141	28.7	54	11.5	119	23.1	52	9.8	53	10.0	42	7.9	21	4.1
Matriculates/Higher Secondary or Intermediate Certificate holders	88	18.4	90	19.1	87	17.7	101	22.1	82	16.0	132	24.9	118	22.3	112	21.0	111	21.68
Graduates	177	37.1	160	33.9	157	32.0	172	35.4	178	34.6	205	38.7	213	40.3	238	44.6	222	43.36
Post-Graduates (including technical qualifications holers)	85	17.8	92	19.5	98	20.0	113	24.7	127	24.7	132	24.9	136	25.8	131	24.6	137	26.70
Doctoral Degree or other high academic qualification holders	15	3.5	9	2.1	7	1.6	17	3.7	8	1.5	9	1.7	8	1.5	10	1.9	21	4.1
TOTAL	477		471		490		457		514		530		528		533		512	
Total Number of seats	499		500		503		523		521		544		544		544		522	

GRAPH 3

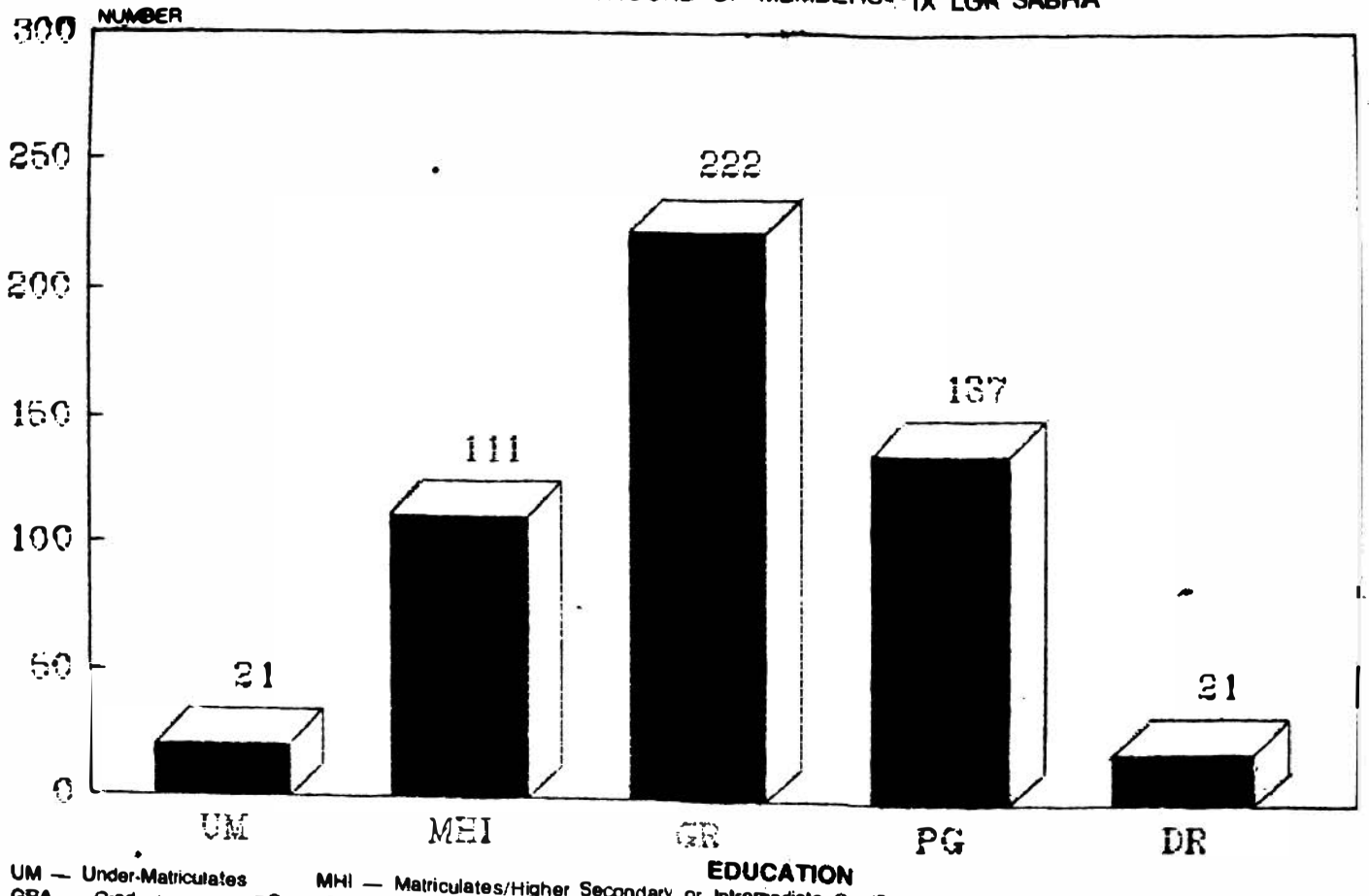
EDUCATIONAL BACKGROUND PERCENTAGE-WISE — 1st TO 9th LOK SABHA



UM — Under-Matriculates MHI — Matriculates/Higher Secondary or Intremediate Certificate holders
GRA — Graduates PG — Post-Graduates (including those with Technical Qualifications)
DOC — Doctoral Degree or other high academic qualification holders

GRAPH 4

EDUCATIONAL BACKGROUND OF MEMBERS - 1X LOK SABHA



UM — Under-Matriculates MHI — Matriculates/Higher Secondary or Intremediate Certificate holders
GRA — Graduates PG — Post-Graduates (including those with Technical Qualifications)
DOC — Doctoral Degree or other high academic qualification holders

Eighth Lok Sabha. The First Lok Sabha had the lowest ever representation in this category (17.8 per cent).

Yet another significant feature of the Ninth Lok Sabha may be observed from Graph 3 which indicates that it has surpassed all previous records by having 4.1 per cent of its members possessing Doctoral degree or other higher qualifications. Earlier, while the Fourth Lok Sabha had the maximum representation of this category (3.7 per cent) followed by the First Lok Sabha (3.5 per cent), all other Lok Sabhas had registered a decline.

With regard to the representation of the category of Matriculates/Higher Secondary or Intermediate certificate holders the percentage in the Ninth Lok Sabha (21.68 per cent) remains almost the same as in the Eighth Lok Sabha (21 per cent) with only a negligible increase. Their lowest ever representation of 16 per cent was in the Fifth Lok Sabha.

A welcome development of the Ninth Lok Sabha is the lowest ever representation of under-Matriculates in any of the Lok Sabhas. It is just 4.1 per cent in the present House as against 7.9 per cent in the Eighth Lok Sabha. The largest ever representation of under-Matriculates was in the Third Lok Sabha with 28.7 per cent.

Occupational Background: The members of Lok Sabha come from various walks of life. For the purpose of our present study we have taken into consideration only certain well-recognised professions and occupations which are indicated in Table 4.

It may also be mentioned that in the case of the first two Lok Sabhas, the category of political and social workers, as a distinct occupational category, was not taken into consideration. As such, these categories are not shown in the Table against the First and the Second Lok Sabha. Similarly, the new occupational categories of diplomats, economists, judges and pilots are specified only in the case of the Ninth Lok Sabha.

It is interesting to note that quite in tune with the pattern of representation in the six preceding Lok Sabhas, agriculturists constitute a majority of the membership in the Ninth Lok Sabha as well. Their strength this time, an all time record, is 40.4 per cent as against 38.3 per cent in the Eighth Lok Sabha. As is evident from Table 4, right from the Third Lok Sabha till the Seventh Lok Sabha the agriculturists curve has been rising almost by 3 per cent every time. Only in the First Lok Sabha, this category had the lowest representation (22.5 per cent).

Next to agriculturists come political and social workers with 16.83 per cent representation in the Ninth Lok Sabha. They had 17.3 per cent representation in the previous House. This group was at its peak in the Fourth Lok Sabha with 22.9 per cent of the total membership.

TABLE 4

OCCUPATIONAL BACKGROUND OF MEMBERS FROM FIRST TO NINTH LOK SABHA

Prior Occupation	1st L.S.		2nd L.S.		3rd L.S.		4th L.S.		5th L.S.		6th L.S.		7th L.S.		8th L.S.		9th L.S.	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Agriculturists	97	22.5	141	29.1	129	27.4	154	30.6	168	33.2	189	36.0	206	39.3	203	38.3	204	40.40
Artistes	—	—	—	—	—	—	1	0.2	—	—	—	—	1	0.2	5	0.9	3	0.59
Civil and Military Service	16	3.7	19	4.0	4	0.9	16	3.2	17	3.4	9	1.7	5	0.9	16	3.0	9	1.78
Diplomats	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	0.40
Economists	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	3	0.59
Engineers and Technologists	—	—	—	—	4	0.9	7	1.4	6	1.2	5	0.9	6	1.1	4	0.8	8	1.56
Former Rulers	5	1.1	7	1.4	10	2.1	7	1.4	2	0.4	3	0.6	1	0.2	3	0.6	—	—
Industrial Workers/Trade Unionists	—	—	—	—	1	0.2	1	0.2	—	—	9	1.7	4	0.8	7	1.3	5	0.99
Journalists and Writers	45	10.4	50	10.2	27	5.8	24	4.8	32	6.3	11	2.7	15	2.9	7	1.3	16	3.17
Judges	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	0.20
Lawyers	153	35.6	147	30.5	115	24.5	88	17.5	103	20.5	123	23.4	116	22.2	101	19.1	79	15.64
Medical Practitioners	21	4.9	17	3.5	14	3.0	14	2.8	9	1.7	10	1.9	10	1.9	21	4.0	18	3.58
Pilots	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	0.20
Political and Social Workers	—	—	—	—	88	18.7	115	22.9	96	19.0	105	20.0	90	17.2	85	16.0	86	17.03
Religious Missionaries	—	—	—	—	1	0.2	4	0.8	2	0.4	—	—	1	0.2	1	0.2	2	0.40
Teachers and Educationists	43	9.9	55	11.3	27	5.8	33	6.5	36	7.1	44	8.4	35	6.7	41	7.7	44	8.71
Traders and Industrialists	52	12.0	50	10.2	50	10.3	39	7.5	35	6.8	17	3.3	33	6.3	36	6.8	22	4.36
TOTAL	432		486		470		503		506		525		523		530		503	
Total number of seats	499		500		503		523		521		544		544		544		522	

Lawyers constitute the third largest occupational group (15.64 per cent) in the Ninth Lok Sabha. Compared to the previous House where they constitute 19.1 per cent of the membership, this time their representation has registered a noticeable decline. In fact, they constituted the single largest group in the first two Lok Sabhas — 35.6 per cent and 30.5 per cent, respectively.

The strength of teachers and educationists in the Ninth Lok Sabha is 8.71 per cent as against 7.7 per cent in the Eighth Lok Sabha. Though it shows only a marginal increase of just 1 per cent over the last Lok Sabha, it has the distinction of occupying the third position after the Second Lok Sabha (11.3 per cent) and First Lok Sabha (9.9 per cent), respectively.

The category of traders and industrialists, which constitutes 4.36 per cent of the total membership of the Ninth Lok Sabha, has registered a decline compared to the previous House (6.8 per cent). Their highest ever representation was in the First Lok Sabha (12 per cent).

Medical practitioners constitute 3.56 per cent in the Ninth Lok Sabha as compared to 4 per cent in the Eighth Lok Sabha, thus registering a slight decline. However, this is the third highest representation for this category after the First Lok Sabha (4.9 per cent) and the Eighth Lok Sabha (4 per cent).

Journalists and Writers who were occupying the fourth position by being about one-tenth of the total membership in the First and the Second Lok Sabha had suffered a sharp decline with only 1.3 per cent memebrs in the Eighth Lok Sabha. However, this group has shown considerable improvement in their position in the Ninth Lok Sabha by getting 3.17 per cent representation.

Those who were either in the civil or military service have registered a decline in their representation from 3 per cent in the Eighth Lok Sabha to 1.78 per cent in the present Lok Sabha. The largest ever representation of this group was in the Second Lok Sabha (4 per cent).

The representation of engineers and technologists is by far the highest in the Ninth Lok Sabha (1.58 per cent) compared to all previous Lok Sabhas. In the Eighth Lok Sabha their representation was only 0.8 per cent. This group had no representation at all in the first two Lok Sabhas.

The representation of industrial workers and trade unionists, which was 1.3 per cent of the total membership of the Eighth Lok Sabha, has shown a slight decline in the Ninth Lok Sabha (0.99 per cent). Their representation was conspicuous by the absence of this category in the first two Lok Sabhas. The representation of artistes in the Ninth Lok Sabha is 0.59 per cent compared to 0.9 per cent in the Eighth Lok Sabha. Religious

missionaries have 0.4 per cent representation in the Ninth Lok Sabha compared to 0.2 per cent in the previous House. It may be mentioned that both religious missionaries and artistes had no representation in the first two Lok Sabhas. The new categories, namely, economists, diplomats, judges and pilots, which have emerged as important groups on the parliamentary scene during the Ninth Lok Sabha, are represented by 0.59 per cent, 0.4 per cent, 0.2 per cent and 0.2 per cent, respectively.

Marital Status: As in the case of the Eighth Lok Sabha, an overwhelming majority of members in the present House are married. They constitute 96.13 per cent of the membership compared to 96.6 per cent in the previous House. Unmarried members account for just 3.87 per cent in the Ninth Lok Sabha whereas they constituted 3.4 per cent in the Eighth Lok Sabha. They had, of course, a substantially higher representation in the Seventh Lok Sabha (6.9 per cent).

Of the 20 (3.87 per cent) unmarried members of the Ninth Lok Sabha, 18 (3.48 per cent) are male and two (0.39 per cent) female memers. Of the unmarried female members, one each (0.19 per cent) come from Uttar Pradesh and Madhya Pradesh.

Of the 18 unmarried male members, five (0.97 per cent) are from West Bengal; two (0.39 per cent) each from Uttar Pradesh, Kerala and Madhya Pradesh; 1 (0.2 per cent) each from Bihar, Maharashtra, Orissa, Punjab, Tamil Nadu, Rajasthan and the Union Territory of Pondicherry.

With the exception of 28 members of the Seventh Lok Sabha (5.7 per cent), 27 members of the Eighth Lok Sabha (5.3 per cent), and 78 members of the present Lok Sabha (15.09 per cent), all other members had children. In the Ninth Lok Sabha, one member (0.19 per cent) is having 11 children, followed by five members (0.97 per cent) with nine children; 11 members (2.12 per cent) with eight children; 19 members (3.68 per cent) with seven children; 28 members (5.42 per cent) with six children; 54 members (10.44 per cent) with five children; 81 members (15.67 per cent) with four children each; 99 members (19.15 per cent) with three children; and 39 members (7.54 per cent) with one child each. As against these statistics, in the Eighth Lok Sabha, 106 members (20.7 per cent) were having three children each followed by 101 members (19.7 per cent) with two children each and 51 members (9.9 per cent) with only one child each. The remaining 228 memebrs (44.4 per cent) of the previous House had children ranging from four to ten.

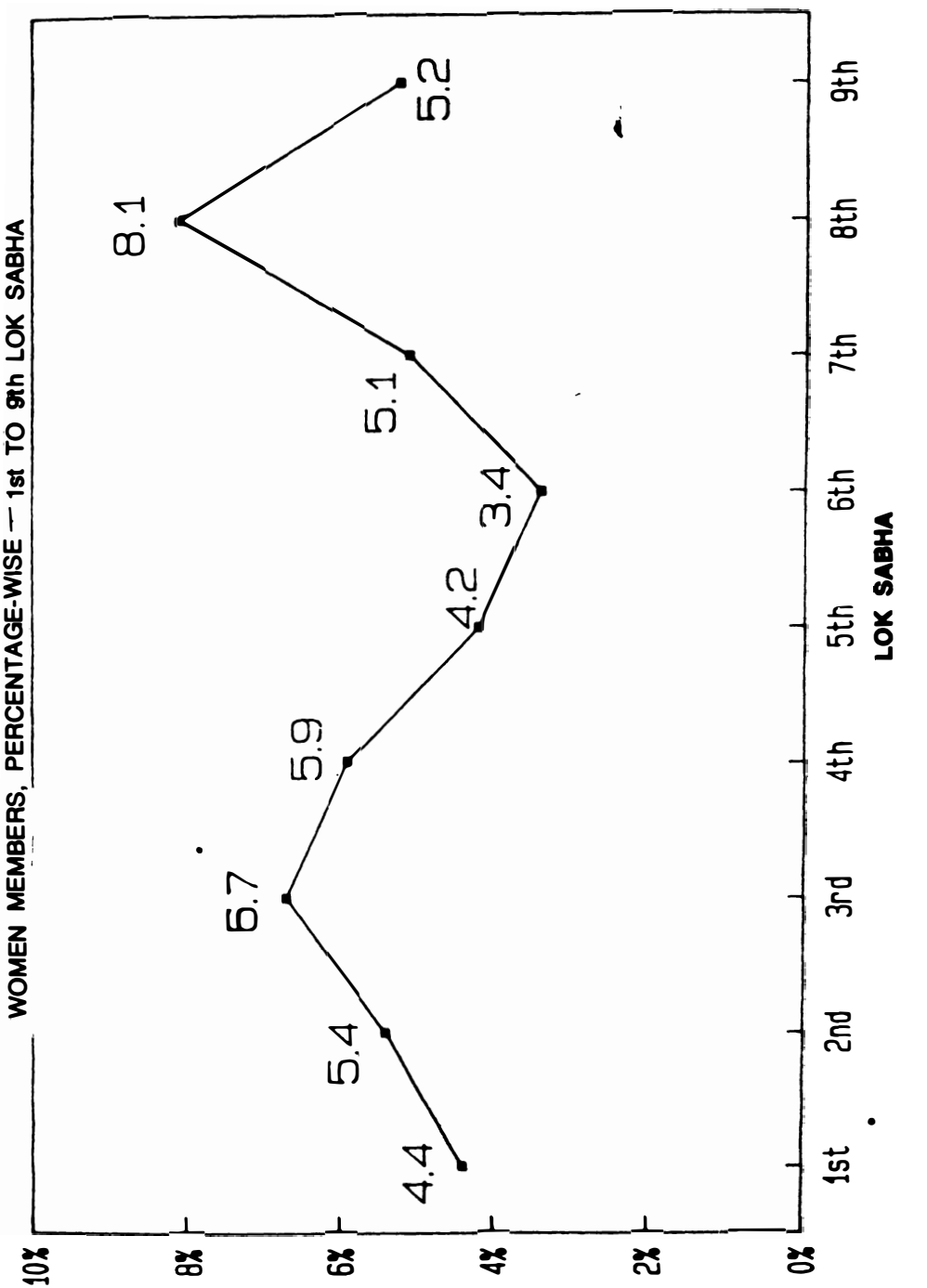
Women Members: In the Ninth Lok Sabha there are 27 women members (5.22 per cent) compared to 44 members (8.1 per cent) in the previous House. The Eighth Lok Sabha had the distinction of having the largest ever representation of women members. But this time there is a

marked decline in their representation in the House. Table 5 indicates the number of women members elected to the Ninth Lok Sabha as compared to the member of those elected to earlier Lok Sabhas, Graph 5 indicates the trend of their representation in percentages from First to Ninth Lok Sabha.

TABLE 5

REPRESENTATION OF WOMEN MEMBERS FROM FIRST TO NINTH LOK SABHA

Lok Sabha	Total No. of seats	No. of Women Members	Percentage to the total
First	499	22	4.4
Second	500	27	5.4
Third	503	34	6.7
Fourth	523	31	5.9
Fifth	521	22	4.2
Sixth	544	19	3.4
Seventh	544	28	5.1
Eighth	544	44	8.1
Ninth	517	27	5.22


WOMEN MEMBERS, PERCENTAGE-WISE — 1st TO 9th LOK SABHA
10%
8%
6%
4%
2%
0%
4.4
5.4
6.7
5.9
4.2
3.4
5.1
8.1
5.2
1st
2nd
3rd
4th
5th
6th
7th
8th
9th
LOK SABHA

For the purpose of representation of women members by age group, a comparison has been made between the Seventh, Eighth and Ninth Lok Sabhas (see Table 6). The different age groups with a span of 5 years each have been distributed under 10 heads beginning with the age group of 25-30 years and ending with 71-75 years.

TABLE 6

DISTRIBUTION OF WOMEN MEMBERS, BY AGE GROUPS, FROM SEVENTH TO NINTH LOK SABHA.

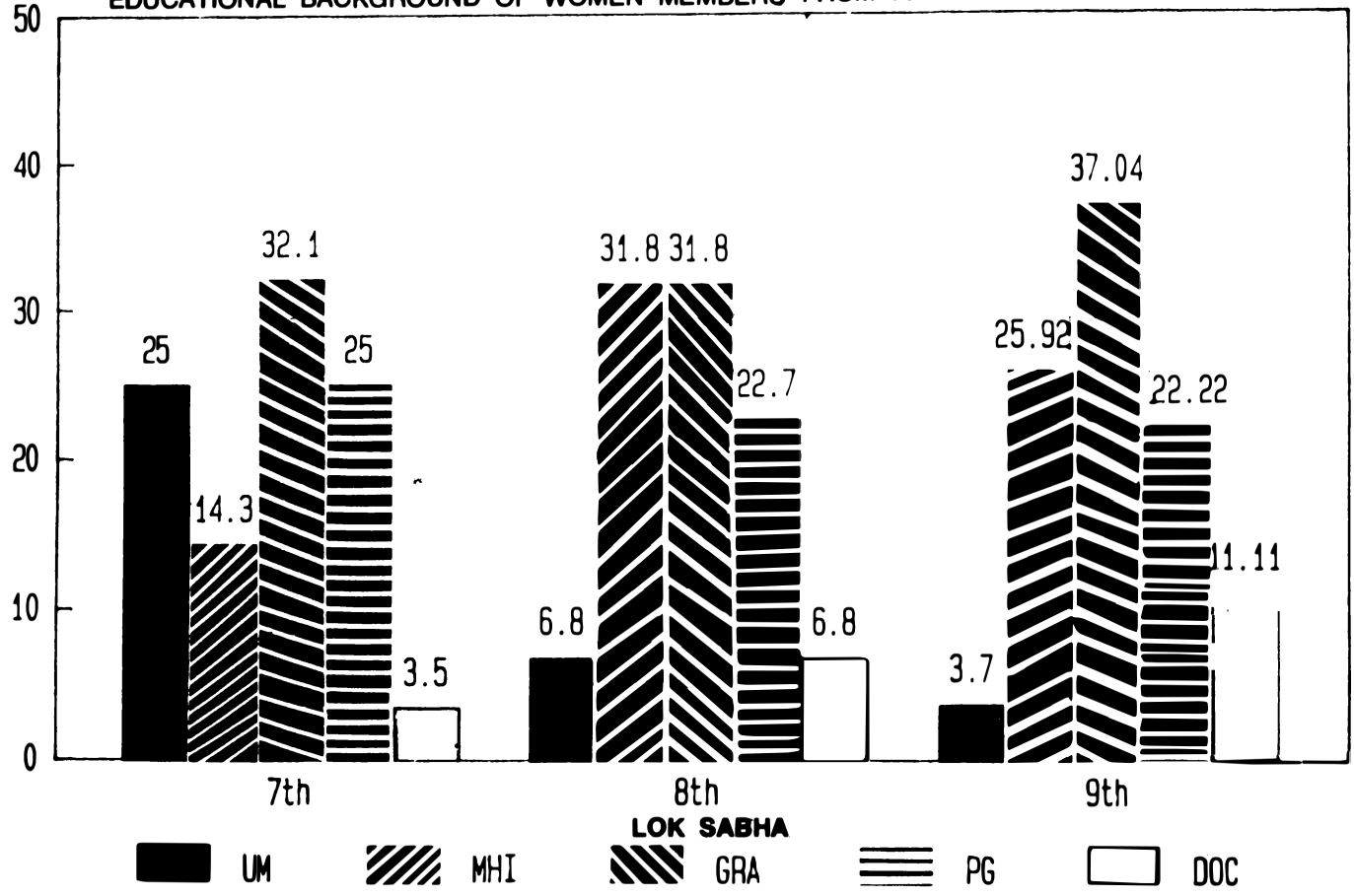
Age group	7th Lok Sabha		8th Lok Sabha		9th Lok Sabha	
	Number	Percentage	Number	Percentage	Number	Percentage
25-30 years	—	—	1	2.3	1	4.17
31-35 years	1	3.5	2	4.5	2	8.33
36-40 years	3	10.7	3	6.8	2	8.33
41-45 years	4	14.3	5	11.4	4	16.67
46-50 years	6	21.4	7	15.9	3	12.50
51-55 years	4	14.3	9	20.4	4	16.67
56-60 years	6	21.4	5	11.4	2	8.33
61-65 years	3	10.7	6	13.6	2	8.33
66-70 years	—	—	5	11.4	1	4.17
71-75 years	1	3.5	1	2.3	3	12.50
	28		44		24	
Total Number of seats	544		544		517	

The average age of the women members in the Ninth Lok Sabha is 45.66 years compared to the 47.77 years of their male counterparts. It is interesting to note that the present House has an equal representation of 16.67 per cent each for the age groups of 41-45 years and 51-55 years. Similarly, 8.33 per cent representation is held by the four age groups of 31-35 years, 36-40 years, 56-60 years and 61-65 years. Like the previous House, the current Lok Sabha has also returned only one women member in the youngest age group of 25-30 years; the Seventh Lok Sabha had no member in this age group. While there was only one member in the earlier two Houses in the highest age group of 71-75 years, this time, there are three members in that bracket, showing a substantial increase. There is a noticeable decline of representation of the age group of 56-60 years in the present House, as there are only two members in this group as compared to five in the Eighth and six in the Seventh Lok Sabha.

Graph 6 shows the educational background of the women members in percentage from Seventh to Ninth Lok Sabha.

GRAPH 6

EDUCATIONAL BACKGROUND OF WOMEN MEMBERS FROM 7th TO 9th LOK SABHA IN %



UM — Under-Matriculates MHI — Matriculates/Higher Secondary or Intremediate Certificate holders
GRA — Graduates PG — Post-Graduates (including those with Technical Qualifications)
DOC — Doctoral Degree or other high academic qualification holders

TABLE 7

EDUCATIONAL BACKGROUND OF WOMEN MEMBERS FROM SEVENTH TO NINTH LOK SABHA

Educational level	7th Lok Sabha		8th Lok Sabha		9th Lok Sabha	
	Number	Percentage	Number	Percentage	Number	Percentage
Under Matriculates	7	25.0	3	6.8	1	3.70
Matriculates/Higher Secondary or Intermediate certificate holders	4	14.3	14	31.8	7	25.92
Graduates	9	32.1	14	31.8	10	37.04
Post-Graduates (including technical qualifications holders)	7	25.0	10	22.7	6	22.22
Doctorate Degree or other higher academic qualification holders	1	3.5	3	6.8	3	11.11
	28		44		27	
Total number of seats	544		544		517	

A scrutiny of the data given in Table 7 would reveal that the general level of education of women members in the Ninth Lok Sabha has gone up, particularly in the categories of Graduates and Doctorate or higher academic qualification holders, as compared to the Eighth Lok Sabha.

Category-wise, the representation of under-matriculates which was as high as 25 per cent in the Seventh and 6.8 per cent in the Eighth Lok Sabha, has come down considerably to just 3.7 per cent in the Ninth Lok Sabha. It is indeed a significant development. The number of plain Graduates dominates in the present House also as was the case in the earlier two Houses. In fact, theirs is the highest number (37.04 per cent) in the present House as compared to 31.8 per cent and 32.1 per cent in the Eighth and the Seventh Lok Sabha, respectively. There is a slight decline

in the representation of Post-graduates this time as against the previous two Houses. The representation of the Doctorate degree and other higher qualification holders (11.11 per cent) has registered a substantial increase in the Ninth Lok Sabha as compared to 6.8 per cent and 3.5 per cent in the two previous Houses. While the Eighth Lok Sabha had returned the same percentage of members (31.8) in the categories of Matriculates and Graduates, this time Graduates (37.04 per cent) have a substantial edge over the Matriculates (26.93 per cent).

TABLE 8

DISTRIBUTION OF WOMEN MEMBERS FROM SEVENTH TO NINTH LOK SABHAS, BY PRIOR OCCUPATION

Prior Occupation	7th Lok Sabha		8th Lok Sabha		9th Lok Sabha	
	Number	Percentage	Number	Percentage	Number	Percentage
Agriculturists	11	39.3	14	32.6	3	12.0
Artistes	—	—	1	2.3	2	8.0
Civil and Military Service	1	3.5	1	2.3	—	—
Former Rulers	—	—	1	2.3	—	—
Industrial Worker/ Trade Unionists	—	—	—	—	1	4.0
Journalists and Writers	—	—	—	—	1	4.0
Lawyers	—	—	—	—	1	4.0
Medical Practitioners	—	—	1	2.3	—	—
Political and Social workers	13	46.4	15	34.9	11	44.0
Teachers and Educationists	3	10.7	8	18.6	5	20.0
Traders and Industrialists	—	—	2	4.7	1	4.0
	28		43		25	
Total number of seats	544		544		517	

Table 8 indicates the pattern of distribution of women members from Seventh to NInth Lok Sabha in accordance with their prior occupations. From among the eleven broad professional groups, women industrial workers/trade unionists, journalists and writers, lawyers and traders and industrialists have, for the first time, been represented in the Ninth Lok Sabha. On the other hand, categories like 'civil and military service' 'former rulers' and 'medical practitioners' which got represented in either of the two earlier Lok Sabhas, have not been returned this time or have not mentioned themselves under these categories.

While in the Eighth Lok Sabha, political and social workers (34.9 per cent) and agriculturists (32.6 per cent) dominated the scene, this time, the political and social workers (44.0 per cent) and teachers and educationists (20.0 per cent) have the largest representation.

Going by categories, the women agriculturists' curve has shown a nose-dive in the Ninth Lok Sabha as compared to the previous House. In the Eighth Lok Sabha they had 32.6 per cent representation while they account for only 12.0 per cent of the total women membership of the present House. Their representation was the highest in the Seventh Lok Sabha (39.3 per cent).

As against the previous House where the artistes had only 2.3 per cent representation, this time, they have improved their position to 8.0 per cent.

The representation of teachers and educationists in the Ninth Lok Sabha (20.0 per cent) shows a marginal improvement over the Eighth Lok Sabha (18.6 per cent).

The newly emerged groups, *viz.*, industrial workers/trade unionists, journalists and writers, lawyers and traders and industrialists, have returned one woman member (4.0 per cent) each in the current House.

Previous Legislative Experience: The most distinguishing characteristic of the Ninth Lok Sabha is that an unusually large number—as many as 264*(51.06 per cent of the total) of its members are new entrants. If prior Lok Sabha experience is taken as the yardstick, out of 517 members only 253 members are having prior Lok Sabha experience. As against this only 48.5 per cent of the members of the Eighth Lok Sabha were new entrants.

Table 9 shows prior legislative experience of the members of the Ninth Lok Sabha.

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*This figure excludes four members who have yet to take oath and one who has not furnished his bio-data.

TABLE 9

PREVIOUS LEGISLATIVE EXPERIENCE OF NINTH LOK SABHA MEMBERS

Legislative Experience	Number of Members
Central Legislative Assembly	1
Constituent Assembly	1
Provisional Parliament	1
Lok Sabha	253
Rajya Sabha	34
Lok Sabha/Rajya Sabha	266
State Legislative Assembly	243

Table 10 indicates the number of members of the Seventh, Eighth and Ninth Lok Sabhas having previous legislative experience.

TABLE 10

NUMBER OF MEMBERS OF SEVENTH, EIGHTH AND NINTH LOK SABHA, WHO HAVE BEEN MEMBERS OF EARLIER HOUSES OF PARLIAMENT AND NEW ENTRANTS

Legislature	No. of Members in		
	7th Lok Sabha	8th Lok Sabha	9th Lok Sabha
Central Legislative Assembly (1942-46)	3	3	1
Constituent Assembly (1946-50)	3	3	1
Provisional Parliament (1950-52)	8	7	1
First Lok Sabha (1952-57)	12	11	3
Second Lok Sabha (1957-62)	22	17	7
Third Lok Sabha (1962-67)	33	22	7
Fourth Lok Sabha (1967-70)	66	39	23
Fifth Lok Sabha (1971-77)	119	73	45
Sixth Lok Sabha (1977-80)	143	63	91
Seventh Lok Sabha (1980-84)	—	237	131
Eigth Lok Sabha (1984-89)	—	—	162
Council of States (Rajya Sabha)	31	10	19
New Entrants	150	264	264

As would be evident from Table 10, 162 members (31.33 per cent) of the Ninth Lok Sabha were members of the Eigth Lok Sabha. 131

members (25.34 per cent) of the present House were members of the Seventh Lok Sabha.

TABLE 11

STATEMENT SHOWING PRIOR LEGISLATIVE EXPERIENCE OF MEMBERS FROM SEVENTH TO NINTH LOK SABHA, BY TERMS OF THE HOUSE

Membership of Lok Sabha	7th Lok Sabha		8th Lok Sabha		9th Lok Sabha	
	Number	Percentage	Number	Percentage	Number	Percentage
All the Eight Lok Sabhas (8 Terms)	—	—	—	—	—	—
Seven Lok Sabhas (7 Terms)	—	—	1	0.3	—	—
Six Lok Sabhas (6 Terms)	2	0.9	4	1.5	2	0.39
Five Lok Sabhas (5 Terms)	7	3.2	7	2.6	6	1.16
Four Lok Sabhas (4 Terms)	11	5.1	10	3.7	11	2.13
Three Lok Sabhas (3 Terms)	21	9.7	25	9.3	37	7.16
Two Lok Sabhas (2 Terms)	58	26.9	57	21.1	75	14.51
One Lok Sabha (1 Term)	117	54.2	166	61.5	122	23.60
	216		270		253	

It may be seen from Table 11 that no member in the present House had been a member of all the eight Lok Sabhas or all the Seven Lok Sabhas. A majority of members (23.60 per cent) in the present House have prior Legislative experience of one Lok Sabha only.

TABLE 12

LEGISLATIVE CAREER OF MEMBERS OF NINTH LOK SABHA

Office/position	Number	Percentage
Assembly Speaker	6	1.16
Chairman, DMC	1	0.19
Chief Minister	12	2.32
Council Chairman	3	0.58
Council Deputy Chairman	1	0.19
Deputy Mayor	1	0.19
Deputy Speaker	1	0.19
Deputy Chief Minister	2	0.39
Deputy Speaker (Assembly)	3	0.58
Deputy State Minister	2	0.39
Mayor	2	0.39
Prime Minister	1	0.19
State Minister	79	15.28
Union Deputy Minister	14	2.71
Union Minister of State	26	5.03
Union Minister	25	4.84

Table 12 gives details about the members of the Ninth Lok Sabha, who had held ministerial positions or other parliamentary offices at the Union and/or at the State levels. It would be seen that as many as 66 members had ministerial experience in the Union Council of Ministers; these include one former Prime Minister (Shri Rajiv Gandhi). Of the 93 members who held ministerial positions in the States, 12 were Chief Ministers and two Deputy Chief Ministers.

Coming to the legislative experience of the women members, in the Ninth Lok Sabha, out of 27, as many as 14 members (53.8 per cent) are new entrants. In the Eighth Lok Sabha, out of 44 members, only 15 (34 per cent) were new entrants.

Tables 13 and 14 indicate the position regarding the previous legislative experience of the women members of the Seventh, Eighth and Ninth Lok Sabhas.

TABLE 13

STATEMENT SHOWING PREVIOUS LEGISLATIVE EXPERIENCE OF WOMEN MEMBERS FROM SEVENTH TO NINTH LOK SABHA IN UNION/STATE LEGISLATURES

Legislature	Number of Women Members		
	7th Lok Sabha	8th Lok Sabha	9th Lok Sabha
Central Legislative Assembly (1942-46)	—	—	—
Constituent Assembly (1946-50)	—	—	—
Provisional Parliament (1950-52)	—	—	—
First Lok Sabha (1952-57)	—	1	1
Second Lok Sabha (1957-62)	1	—	1
Third Lok Sabha (1962-67)	2	2	2
Fourth Lok Sabha (1967-70)	4	1	—
Fifth Lok Sabha (1971-77)	6	4	3
Sixth Lok Sabha (1977-79)	4	5	1
Seventh Lok Sabha (1982-84)	—	19	7
Eighth Lok Sabha (1984-89)	—	—	11
Rajya Sabha	2	4	3
State Legislatures	9	15	8
New entrants without prior legislative experience	10	15	6

TABLE 14

STATEMENT SHOWING PRIOR LEGISLATIVE EXPERIENCE OF WOMEN MEMBERS FROM SEVENTH TO NINTH LOK SABHA BY TERMS OF THE HOUSE

Membership of Lok Sabha	7th Lok Sabha	8th Lok Sabha	9th Lok Sabha
All the Eight Lok Sabhas (8 Terms)	—	—	—
Seven Lok Sabhas (7 Terms)	—	—	—
Six Lok Sabhas (6 Terms)	—	—	—
Five Lok Sabhas (5 Terms)	—	—	—
Four Lok Sabhas (4 Terms)	—	—	—
Three Lok Sabhas (3 Terms)	3	2	4
Two Lok Sabhas (2 Terms)	2	6	5
One Lok Sabha (1 Term)	4	13	4
	9	21	13
Total women members	28	44	27

From Table 14, it may be seen that there are 13 women members in the Ninth Lok Sabha having experience of earlier Lok Sabha(s).

The women members in the Ninth Lok Sabha have the distinction of having among themselves two former Union Cabinet Ministers, two Ministers of State, one Deputy Minister and two Ministers in State Governments.

Conclusion: In view of the bio-data having been received only from 517 members and further some of these bio-data having not been complete, in all respects, it may be presumptuous and somewhat premature to arrive at a firm conclusion regarding the sociological representational dimension of the present Lok Sabha. Nevertheless, this analysis has been attempted to indicate the broad contours of change and continuity in the socio-economic profile of members of the Ninth Lok Sabha.

Keeping in tune with continuity, it is observed that as in the previous Lok Sabhas, the middle-aged members, *i.e.* the age group of 41-55 years, have the largest representation in the present House as well. Of course, this House has the unique distinction of returning oldest sitting member, in the age group of 86-90 years in the person of Professor N.G. Ranga. He, in fact, has had the longest legislative innings at the Union.

Judged by the academic qualifications, the level of the members of the Ninth Lok Sabha has surpassed all previous records. While on the one hand it has the largest ever number of over 74 per cent members with Graduation and other higher academic qualifications; on the other, the representation of the under-Matriculates (4.10 per cent) is the lowest ever.

The occupational background of members of the Ninth Lok Sabha has become much more broad based. However, quite in keeping with the pattern of representation in the six earlier Lok Sabhas, agriculturists dominate the scene. Their strength—an all time record—is indicative of Lok Sabha becoming much more representative of the people at the grass-roots. Next to agriculturists, it is the category of 'political and social workers', not the lawyers who had held that position heretofore. Another noteworthy feature of the Ninth Lok Sabha is that the representation of engineers and technologists is by far the highest as compared to all the previous Lok Sabhas.

The Ninth Lok Sabha marks a substantial decline in the representation of women members compared to the previous House. The return of women members with diverse occupational backgrounds ranging from trade unionism to lawyership is, however, an interesting feature of the current Lok Sabha.

Besides, the present House has the distinction of having as many as 264 new entrants. Apart from them, 86 members of the Ninth Lok Sabha were not members of the Eighth Lok Sabha although they have had the privilege of being members of one or more previous Lok Sabhas. However, Shri L.K. Advani, a veteran parliamentarian who had been till now in the Rajya Sabha all through his parliamentary career, for the first time got elected to the Lok Sabha.

Yet another interesting feature of the present House is that as many as 78 members (15.09 per cent) are having no children at all. Their percentage was to the tune of 5.3 and 5.7 in the Eighth and the Seventh Lok Sabhas, respectively.

No other political institution in the country is more reflective of the contemporary social structure and social forces at work than the Lok Sabha. It is the mirror and microcosm of the nation. And, the Ninth Lok Sabha provides further evidence of this.

4

ELECTION OF SPEAKER OF THE NINTH LOK SABHA

Under the provisions of article 93 of the Constitution, Lok Sabha chooses one of its members to be the Speaker thereof. In accordance with the procedure regarding the election of the Speaker prescribed in rule 7 of the Rules of Procedure and Conduct of Business in Lok Sabha.

The Speaker is elected by Lok Sabha from amongst its members by a simple majority of members present and voting in the House.

The Ninth Lok Sabha was constituted on 2 December 1989. The President fixed 19 December 1989 as the date for holding election to the office of Speaker of Ninth Lok Sabha. The members were accordingly informed of the procedure and the programme thereof through the Bulletin on 8 December 1989. The members were required to give notices of motions for the election in the prescribed form before noon on 18 December 1989.

Four motions proposing the name of Shri Rabi Ray, a member of the House elected from the Kendrapara parliamentary constituency in the State of Orissa, for being chosen as the Speaker of Lok Sabha were received by the prescribed time. All the motions were found to be in order and were included in the revised List of Business for 19 December 1989, in the order in which they were received in point of time.

On 19 December 1989, when the item was taken up, the first motion was moved by the Deputy Prime Minister, Shri Devi Lal and seconded by the Minister of State of the Ministry of Water Resources, Shri Manubhai Kotadia. The second motion was moved by the Minister of Textiles, Shri Sharad Yadav and seconded by the Minister of Railways, Shri George Fernandes. The third motion in the name of Sarvashri L. K. Advani (mover) and Somnath Chatterjee (seconder) could not be moved as the mover was not present in the House. The fourth motion was moved by a member, Shri Indrajit Gupta and seconded by another member Shri Amar Roypradhan. There was no other candidate for the high office.

The motion moved by the Deputy Prime Minister was then put to vote of the House and adopted unanimously. The other motions were not put to vote.

The Speaker *pro tem*, Professor N.G. Ranga, who was in the Chair, declared Shri Rabi Ray elected as the Speaker of Lok Sabha.

Having been chosen as the Speaker, Shri Rabi Ray was then conducted to the Chair by the Prime Minister, Shri Vishwanath Pratap Singh, the Deputy Prime Minister, Shri Devi Lal, the Leader of the Opposition, Shri Rajiv Gandhi, the Minister of Parliamentary Affairs, Shri P. Upendra and leaders of other parties and groups in Lok Sabha.

Shri Rabi Ray was warmly felicitated on his unanimous election to the office of the Speaker by the Prime Minister, Leader of the Opposition, leaders of parties/groups in the House and the Minister of Parliamentary Affairs.

Felicitating Shri Rabi Ray on his assumption of the high office, Prime Minister, Shri Vishwanath Pratap Singh observed* that his long experience of public life and political acumen would stand him in good stead in conducting the business of the House. He recalled that right from his student life, Shri Ray participated in the struggle for freedom, which had become synonymous with his life. Being an ardent believer in socialism, he aimed not only at driving the British rulers out of India but also aimed at securing justice to the oppressed and the downtrodden. He hoped that the voice of the poor, raised in the House, would receive his due attention. Referring to the challenge of maintaining the dignity of the nation, he observed:"Sir, you have suffered the rigours of jail during the National Flag Movement. There is challenge now to maintain the dignity of the National Flag and your assumption of this office would only strengthen this struggle".

Congratulating Shri Rabi Ray on his election, the Leader of the Opposition, Shri Rajiv Gandhi said that Shri Ray had assumed the Chair after a distinguished career as a parliamentarian and as a freedom fighter and added that he was well acquainted with the rules, traditions and the ethos of the House. Shri Gandhi assured him full cooperation from him as well as his party, the largest one in the House, and to work responsibly with him in strengthening the democratic institution. Describing the Speaker "as the guardian of democracy, as the custodian of the rights of the people", Shri Gandhi hoped that the new Speaker would be fair-minded, just and impartial.

Congratulating Shri Rabi Ray, Shrimati Vijaya Raje Scindia (BJP) said* that he had rich experience as parliamentarian and as a politician. She hoped that the members of the august House would be benefitted with his experience.

Offering felicitations, on his own and on behalf of his party, Shri Somnath Chatterjee (CPI-M), described the Speaker as the custodian of the rights and privileges of the House and its members and hoped that

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* Original in Hindi

those rights and privileges would be amply safeguarded by him. Shri Chatterjee added: "The office of the Speaker of this House is not merely ornamental nor are its functions mechanical. Not only have you to regulate the deliberations of this House but you will have to see that dignity and decorum is maintained and also that the members get full opportunity to perform their function to the best of their ability in the service of the people". Shri Chatterjee assured him that his party would give him full cooperation in discharging his duties and functions.

Shri Indrajit Gupta (CPI), while offering felicitations to the new Speaker, said that Shri Rabi Ray was not only an old freedom fighter and an experienced political leader but he had also been committed to certain socialist principles throughout his life which the House would expect him to adhere to in conducting the business of the House. He further observed: "You have to guarantee that everbody has equal opportunity and that the poorer, deprived, exploited and oppressed sections of our people in this great country find ample opportunity through their elected representatives to make their voice heard here." He expressed the hope that Shri Ray would bear all these things in mind while discharging his duties and ensure that the rights and privileges of all the members were adequately protected. Shri Gupta, however, felt that it would not be an easy task, since the composition of the present Lok Sabha was such that it would call upon him to show the "utmost tact, patience, discretion, all of which qualities. I am sure, you possess in abundance."

Congratulating the Speaker, Shri M.R. Janarthanan (AIADMK) expressed the hope that equal opportunity would be given to the new members while partioipating in the proceedings of the House.

Shri Nani Bhattacharya (RSP) offered his felicitations on Shri Ray's unanimous choice as the Speaker of the august House and expressed the hope that he would do justice to all members of the House, whether belonging to big or small parties.

Shri Chitta Basu (Forward Bloc), offering fullest and sincerest cooperation to the Speaker, hoped that under his leadership, the House would gain new heights in the democratic practices as the world's largest democracy.

Congratulating the Speaker and offering his whole-hearted cooperation, professor Saif-ud-din Soz (National Conference) expressed the view that there could have been no better choice for the office of Speaker.

Shri Ibrahim Sulaiman Sait (Muslim League), offering his felicitations, hoped that the Speaker being the custodian of the rights of all parties, would give a fair chance to smaller parties in expressing their views on various issues likely to come up before the august House. offering his

good wishes to the new Speaker, he reminded him of an Urdu couplet which says:

हयात ले के चलो, कायनात ले के चलो।
चलो तो सारे ज़माने को साथ ले के चलो।।

Shri P.C. Thomas (Kerala Congress-M), while offering his felicitations, expressed his optimism that Shri Ray's experience as a freedom fighter, as a social reformer, as a staunch socialist as an able parliamentarian and as an efficient administrator would add lustre and glory to his work as the Speaker in presiding over the august House.

Shri Vamanrao Mahadik (Independent) hoped that members belonging to smaller parties would be given a fair chance to raise issues concerning poverty, unemployment, corruption and rising prices in the House. He observed: "Your distinguished predecessors set noble traditions by giving very good rulings and taking proper decisions. I am sure you will uphold those traditions in the future."

In his felicitations, Shri Sultan Salahuddin Owaisi (All India Majlis-e-Ittehadul Muslimeen) urged* that communal harmony would be maintained and his party would be given full opportunity to express views on communal situation in the country.

Congratulating Shri Ray, Shri Shankarji Laxmanji Vaghela (BJP) expressed** the hope that he would follow the foot-steps of Lohia ji to fight for the cause of the common people. Reminding Shri Ray of the days when he (Shri Ray) had worked with Shri Jai Prakash Narayan in 1977, Shri Vaghella recalled that he had given the slogan: "Leave the throne for the people who are on the move". He expressed his confidence that since Shri Ray was now adorning the throne, he would get the dreams of Shri Jai Prakash Narayan fulfilled through Parliament and the Government.

Shri Haribhau Shankar Mahale (Janata Dal), welcoming the Speaker, hoped** that he being the custodian of the highest temple of democracy would defend the rights of scheduled castes and tribes and farmers.

In his felicitations, Shri Inderjit (GNLF) assured his full cooperation in "the greater glory of the highest temple of democracy."

Warmly congratulating the Speaker, the Minister of Parliamentary Affairs, Shri P. Upendra, assured him of full cooperation from the Government and hoped that he would be able to run the House smoothly with his sober manners, coupled with his firmness.

Replying to the felicitations, the Hon. Speaker, Shri Rabi Ray expressed** his gratefulness to the members for unanimously electing him to the

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* Origninal in Urdu

** Origninal in Hindi

high office. He said that he would try to discharge the functions and duties of the august office with all the humility and impartiality at his command. He assured the members that he would try to follow the high ideals established by all his distinguished predcessors.

Shri Ray observed that the recent elections had once again proved the inner vitality and strength of Indian democracy and its people's unflinching faith in democratic values. He was confident that the House would prove worthy of the faith the electorate had reposed in them.

He further observed that Lok Sabha being a forum for orderly debate, must have the opportunities to discuss all the issues that exercised the minds of the people. In this context, he recalled the following observations of his illustrious predecessor, Shri G.V. Mavalankar:

> The Legislatures are substantially deliberative bodies and representative of the people; they consider, discuss or debate the general lines on which they would like the Government of the country to run, and they have also authority to make laws for the purpose. They are intended in a sense for effecting a peaceful and gradual evolution, or if you so like to call it, a revolution in the society and in the Government. For real democracy, one has, therefore, to look not merely in the provisions of the Constitution, or the rules and regulations made for the conduct of business in the Legislatures, but one has to foster a real democratic spirit in those who form the Legislature.

Shri Rabi Ray assured the House that it would be his endeavour to give opportunities to all parties and individual members to raise issues of vital public importance to the nation in general and to their constituents in particular.

In conclusion, Shri Rabi Ray sought cooperation of all sides of the House in conducting the deliberations in an orderly manner.

Shri Rabi Ray A Life Sketch

Son of late Shri Ghanashyam Ray, Shri Rabi Ray was born on 26 November 1926 at Bhanagarh in Puri District of Orissa. He graduated in History with honours from the Ravensha College, Cuttack (Orissa). He had also studied in the Madhusudan Law College, Cuttack.

Shri Ray started his political career as a student leader, while studying in Ravenshaw College, when he courted arrest, prior to Independence in early 1947, in connection with the unfurling of the National Flag. Ultimately, the Government had to yield to the students' demand for unfurling of the National Flag in educational institutions, the country still being under the British rule. He was Founder Member of Orissa Students Congress in 1947. He joined the Socialist Party in 1948. Due to his untiring struggle for the students' cause, he was elected President of

Ravenshaw College Union during 1948-49 and that of Madhusudan Law College Union during 1949-50. Because of his natural qualities of leadership and his commitment to the socialist cause, Shri Ray remained in the top leadership of socialist movement throughout. While Shri Ray held the post of Joint Secretary, All-India Samajwadi Yuvak Sabha during 1953-54, he founded the Socialist Party in Orissa in 1956 under Dr. Ram Manohar Lohia's leadership. He remained a member of the National Executive of the Socialist Party since 1956 and later held the position of General Secretary of the Party during 1960-61. He became General Secretary of the Janata Party during 1977-79 and later remained a Member of the National Executive of the Party.

Shri Ray's parliamentary career began in 1967 when he was elected to Lok Sabha. During the term of Fourth Lok Sabha, 1967-71, he was Leader, Parliamentary Group of Samyukta Socialist Party. In 1974, he was elected to Rajya Sabha from Orissa Legislative Assembly and remained its member till 1980. He was the Union Minister of Health and Family Welfare during 1979-80. He has been elected to Ninth Lok Sabha on Janata Dal ticket from Kendrapara constituency in Orissa.

Shri Ray had been actively associated with several official and non-official organisations in various capacities. He had been the Chairman, Press Council during 1977-78; Member, Central Silk Board, 1974; Public Accounts Committee, 1975; and Joint Select Committee on Lok Pal, 1977-78. His association with social welfare organisations include his presidentship of the Lohia Academy and Gram Vikas Foundation.

Being interested in socialist youth movement, Shri Ray had taken part in constructive activities like construction of village roads through voluntary labour. For the emergence of a strong broad-based youth and peasant movement on socialist lines, he organised study circles and youth clubs like Samajwadi Nirman Kendra.

Shri Ray's active participation in various movements led to his arrest several times. He courted imprisonment in 1949 for his participation in labour movement. In 1957, he was arrested while demanding relief to the flood affected people in Daleighai area. His active participation in *Angrezi Hatao Andolan* led to his arrest in 1960. He was imprisoned in connection with nation-wide *Kutch Satyagraha,* lauched by Dr. Lohia in 1967. Shri Ray was arrested in 1968 for demanding to convert the Puri Raj Bhavan in Orissa into a Children's Hospital. He was jailed under MISA from July 1975 to December 1976 during the Emergency.

Shri Ray's literary accomplishments include editing of *Chaukhamba* (a Hindi fortnightly from Indore) and *Samata* (an Oriya monthly). He had also edited a bi-weekly, *Jan* in Oriya earlier. Shri Ray's special interests which

include reading and social activities on Gandhian lines, find their full expression in these periodicals. Shri Ray also translated Dr. Lohia's book, "Whither the Youth Movement, People's Demands" from Hindi to Oriya.

Shri Ray has travelled widely. He has visited Austria, Bulgaria, Egypt, France, Hungary, Italy, Mauritius Switzerland, the UK, the USA and the USSR. He led the Indian Delegation to Commonwealth Speakers Conference in Harare in January 1990 and the Indian Parliamentary Delegation to PDR Yemen and Jordan in February-March, 1990.

5

PARLIAMENTARY EVENTS AND ACTIVITIES

CONFERENCES AND SYMPOSIA

Inauguration of Parliamentary Museum and Archives: The Parliamentary Museum and Archives set up by the Lok Sabha Secretariat in Parliament House Annexe, was inaugurated by Shri Rabi Ray, Speaker, Lok Sabha on 29 December 1989.

The Parliamentary Museum and Archives aims at preserving for posterity all the precious records, historic documents, articles, etc. connected with the evolution of India's Constitution and the Parliament. This is a unique institution—almost the only one of its kind anywhere in the world. The endeavour is to throw light on India's democratic heritage and growth and evolution of parliamentary institutions.

The Museum has been divided into three sections. *Section One* depicts the existence of democratic institutions in ancient India, growth and evolution of modern parliamentary institutions, and their development in post-independence period till date. Among the various objects for display are a mural of King Mahameghavahana—Kharavela of Kalinga and his Jaina Council held at Udayagiri in thirteenth year of his reign (Second Century B.C.), Gautama Buddha narrating to Ananda the Seven Virtues of the Vajjis (elected members) leading to non-decline, a photo of a column of Sanchi Stupa Gate showing an assembly of elected representatives of one of the Republics which flourished during the Buddha period, objects belonging to Central Legislative Assembly during pre-independence period, photographs and charts relating to the working and activities of the Houses of Parliament since independence, photographs of distinguished Freedom Fighters and eminent parliamentarians and personal collections of President Dr. Zakir Husain and Shri G.V. Mavalankar, first Speaker of Lok Sabha.

Section Two displays photographs and models of various foreign Parliaments. Gifts and presents received from foreign Parliaments and dignitaries for Parliament of India are also arranged in separate show-cases.

Section Three is about Legislatures in the States. Impressive scale models and photographs of Legislature buildings, and other objects including publications pertaining to them are displayed here.

The portraits of distinguished freedom fighters and eminent parliamentarians which were unveiled in the Central Hall of Parliament House from time to time, adorn a separate Portrait Gallery in the Museum.

Exhibitions were also put up on 29 December 1989 to focus on the activities of the Eighth Lok Sabha during the five years—1985-89, on Pandit Jawaharlal Nehru and Maulana Abul Kalam Azad, synchronizing with their birth centenary year.

Bureau of Parliamentary Studies and Training: Report of Activities

During the period 1 December to 31 December 1989, the following programmes/courses were organised by the Bureau of Parliamentary Studies and Training, Lok Sabha Secretariat:

Orientation Programme for new Members of Parliament: A three-day Orientation Programme was organised by the Bureau from 15 to 17 December 1989 for new members of the Ninth Lok Sabha elected for the first time to Parliament. It was inaugurated by Dr. Bal Ram Jakhar, the then Speaker, Lok Sabha and the participating members were welcomed by Speaker *pro tem*, Professor N.G. Ranga. 97 new members of the ninth Lok Sabha attended the Programme.

The Programme was intended to provide opportunities to new members to discuss and analyse various aspects of parliamentary processes and procedures and familiarise themselves more closely with the operational mechanics of parliamentary institutions. The Programme, in short, endeavoured to assist the new members to face with greater confidence and ease the onerous tasks, responsibilities and challenges of their jobs and to become more effective legislators.

Various Ministers and senior parliamentarians, including Professor Madhu Dandavate, Professor C. Lakshmanna, Professor saif-ud-din Soz, Sarvashri Rabi Ray (now Speaker, Lok Sabha), K.P. Unnikrishnan, P. Upendra, L.K. Advani, Atal Bihari Vajpayee, P. Shiv Shanker, V.N. Gadgil, Som Nath Chatterjee, Chitta Basu and S.P. Malviya, addressed the participating members on various subjects, such as "Problems faced by New Members", "First Session for a new Members—Role and Opportunities", "Do's and Don'ts for Members—Decorum and Parliamentary Etiquettes, Customs and Convention", "Amenities, Facilities and Services for MPs", "Parliamentary Devices available to Members to raise various matters— How to be an effective Member''. Shri Madhu Limaye, former MP delivered the Valedictory Address.

Members took active part in the deliberations and sought clarifications on various parliamentary processes and procedures during the Question-Answer Session from the speakers.

Inter-University Competitions on "Model Parliament": The Zonal Inter-University Competitions on Model Parliament were organised at New Delhi on 21 and 22 December 1989 with a view to acquainting the youth of the country with the working of Parliament. Teams from Universities were divided into two Zones representing the North and the South. While the Punjab Agriculture University and the Delhi University got the first and the second prizes, respectively, in Zone 'A', the Avinashilingam Institute for Home Science and Higher Education for Women, Coimbatore and the Mahatma Gandhi University, Kottayam got first and second prizes respectively, in Zone 'B'. Shri Rabi Ray, Speaker, Lok Sabha awarded the prizes to the winners.

Appreciation Course for Probationers/Officers of All India and Central Services: The following Appreciation Courses were organised by the Bureau, *viz.* for IESE and IRSME Probationers—4 to 6 December 1989; and for IPS Probationers—11 to 15 December 1989.

Study Visits: At the request of various training and educational institutions in the capital and outside, the Bureau organised three study visits for, among others, (i) Foreign participants attending a training programme at ISTM, (ii) Political Science Lecturers undergoing training at Jawaharlal Nehru University and (iii) ITS Probationers from ALTTC, Ghaziabad.

6

PRIVILEGE ISSUES

STATE LEGISLATURES

ANDHRA PRADESH LEGISLATIVE ASSEMBLY

Alleged undignified and unbecoming behaviour with a member and alleged making of wild allegations by a Government officer: On 10 May 1988, Shri P. Ramachandra Reddy, a member, gave notice of a question of privilege against Shri Paramaiah, former Revenue Divisional Officer (RDO), Sangareddy, for his alleged undignified and unbecoming behaviour with him. Shri Reddy alleged in his notice that during the meeting of Food Advisory Committee held on 4 May 1988, when he (Shri Reddy) was explaining to the Chairman of the Committee about the withdrawal of the power regarding selection of dealers for Fair Price Shops from Revenue Divisional Officers and entrusting them to Collectors *vide* Government of Andhra Pradesh Memorandum No. 8182/CS.II/88-2 dated the 5 February 1988, Shri Paramaiah, without the permission of the Chair, interrupted and shouted at him (Shri Reddy) and uttered the following words:

> Who are you to question? I am competent to appoint a dealer, you can go in an appeal. To appoint a dealer, I do not want your certificate. Who is he to raise this question here? You may be MLA. What do I care, who are you to question my orders? You are not super human. I do not want any certificate from you....

Shri Reddy also stated that Shri Paramaiah did it intentionally to belittle him in the eyes of the persons present in the meeting and to show off his supremacy that he would not care for any MLA. Any member or officer present in the meeting was, according to Shri Reddy, supposed to address the members present as hon'ble members but Shri Paramaiah did not use those words at all. He added that Shri Paramaiah should have addressed the member through Chair, but he addressed the member directly. Shri Paramaiah's behaviour was, Shri Reddy alleged, strange and vulgar. The member, therefore, requested the House to take appropriate action against Shri Paramaiah so that he might not repeat the same and that should also be a lesson for other officers.

On 19 May 1988 the Speaker referred the matter to the Committee of Privileges for examination, investigation and report.

On 17 November 1988, Shri Reddy gave another notice of a question of privilege against Shri Paramaiah, stating therein that Shri Paramaiah had convened a Press Conference on 14 November 1988 at Sangareddy and made wild personal allegations against him to lower his prestige and respect in the eyes of the public. He added that the Press statement issued by Shri Paramaiah on 14 November 1988, published in *Eenadu, Andhra Jyoti* and *Andhra Bhoomi*, in their issues dated the 15 November 1988 and in *Newstime* and *Chronicle* in their issues dated the 16 November 1988, was defamatory affecting his position as a legislator.

The matter complained of in the second notice was also referred by the Speaker to the Committee of Privileges for examination, investigation and report.

The Committee of Privileges, after considering all the relevant documents and after examining in person Shri P. Ramachandra Reddy, the member, Ch. Vittal Reddy, another member, Shri Paramaiah, former Revenue Divisional Officer, Sangareddy, Shri J.C. Mohanty, Collector and District Magistrate, Medak and Shri N. Muralidhar Sarma, Staff Correspondent, *Andhra Jyoti*, in their Eleventh Report presented to the House on 13 September 1989, observed *inter alia* that the treatment meted out to the member in the presence of both officials and non-officials by the officer must have sufficiently caused him pain and damaged his prestige, more so, when he has discharging his duties as the people's representative, trying to point out certain procedural irregularities. The Committee further observed that even according to the Collector, contrary to his expectations, the RDO had reacted violently which was unbecoming of a senior Revenue Officer. They added that even when the Collector, who was presiding over the meeting, had told the RDO to keep quiet, he did not pay any heed to his superior's words and went on shouting at the member in the presence of many officials as well as non-officials who were participating in the meeting. That very act brought home the fact that the Officer had the intention to do something that would belittle the prestige of the member, the Committee noted.

The Committee noted that the officer had no regret to offer for his behaviour against a representative of the people even when his lapse was pointed out by his superior officer, the District Collector. Moreover, he went to the Press and made derogatory remarks on the capability of the Committee of Privileges itself by stating that the member would not be able to do anything even by going to them. The Committee felt that being a civil servant, instead of showing regard and respect to the member in a

meeting, Shri Paramaiah had intentionally and wilfully aggravated the matter by holding a Press Conference and issuing a statement that the member, who had even gone to the Committee of Privileges, would not be able to do anything to him. The officer having risen up to the rank of an RDO must have sufficient knowledge about the rights and privileges of the legislators and the powers and status held by the Committee of Privileges in the constitutional heirarchy of a democratic State. The officer had instead shown a blind eye to the privileges which were enjoyed by the Committee and the members. The Committee observed that the officer had thus shown utter disregard to the provisions of the Constitution besides throwing the norms of democracy to the winds. They added that being a senior revenue officer, having certain judicial powers, the officer must have exercised much restraint even when there was some provocation and adopted a sober, reasonable and prudent attitude which must have brought him encomiums and laurels instead of blatantly throwing himself to the side of defence. This showed nothing but the arrogant and disrespectful attitude of the Government officer towards an elected representative of the people. He demonstrated grave indiscipline and utter disregard towards the member. The language used by the officer both at the meeting and in the Press Statement issued by him against the member was nothing but irresponsible, contemptuous and defamatory in nature. The Committee, therefore, felt that both by his actions and words used, the officer had intentionally attempted to bring down the prestige of the member in the eyes of the public.

The Committee further observed that the civil servants were required to show due courtesy and respect to the elected representatives of the people in the discharge of their functions and in the instant case the officer had miserably failed in his dealings with the member of the Assembly. The offence of the officer was compounded by his comments about the Committee of Privileges especially when the issue, relating to his behaviour was under consideration before them.

The Committee noted that the power of the House to punish for contempt or breach of privilege had been aptly described as the keystone of parliamentary privileges and was considered necessary to enable the House to discharge its functions and safeguard its authority and privileges.

In conclusion, the Committee observed that in view of the breach of privilege of the member by Shri Paramaiah, former RDO, Sangareddy, they recommended that the officer might be sentenced to undergo simple imprisonment for two days for his behaviour in the Food Advisory Committee and for making wild allegations against the member in a Press Statement and also for challenging the authority of the Committee of Privileges.

The Report of the Committee was adopted by the House on 14 September 1989.

Notice to the Speaker from the Supreme Court: On 29 March 1989, while the Assembly was in session, certain Youth Congress (I) volunteers forcibly entered the precincts of the Assembly in four vehicles causing injuries to the Watch and Ward staff and police personnel on duty and started shouting slogans near the Assembly Hall. Due to shouting the proceedings of the Assembly were disturbed and the House had to be adjourned for ascertaining the cause for such disturbances. When the Assembly met later, Shri C. Ananda Rao, Minister for Law and Legislative Affairs, moved a resolution that the 32 Youth Congress (I) volunteers may be sentenced to imprisonment for a period of 30 days and the four vehicles used by them may be seized and confiscated by the Government. The resolution was adopted unanimously, in pursuance of which a warrant of commitment was issued requiring the Superintendent Jails, Musheerabad, Hyderabad to take into custody the said volunteers. Later, they were sent to the District Jail, Musheerabad, Hyderabad for undergoing sentence for 30 days as recommended by the Assembly.

A writ petition was subsequently filed in the High Court of Andhra Pradesh by one Shri P. Sudhir Kumar, challenging the decision of the Assembly in sentencing the intruders for 30 days and requesting for their release. In the said writ petition, the Speaker, Andhra Pradesh Legislative Assembly and the Secretary of the Assembly were cited as respondents among others. In view of the fact that the Andhra Pradesh High Court had no jurisdiction to implead the Speaker or the Secretary of the Assembly, no cognisance was taken of the said notice by the Assembly Secretariat. However, the Advocate General of Andhra Pradesh appeared on bahalf of Shri K.V. Narayan Rao, Government Chief Whip, who was also made a party to the proceedings. After hearing the arguments on both sides, the High Court of Andhra Pradesh dismissed the writ of habeas corpus filed under article 226 of the Constitution of India.

The Youth Congress (I) volunteers went to the Supreme Court in appeal against the judgement and order of the Andhra Pradesh High Court.

The Supreme Court in its order dated 25 April 1989, directed the issuance of notice returnable on 18 July 1989, to the Secretary, Andhra Pradesh Legislative Assembly, the Superintendent of Jails, Musheerabad, Shri K.V. Narayan Rao, Government Chief Whip, Attorney General of India and the Advocate-General of Andhra Pradesh. The Supreme Court also issued notice to the Speaker, Andhra Pradesh Legislative Assembly, Hyderabad to be served through the Secretary. The Supreme Court also directed that the detenus might be released forthwith and their period of imprisonment suspended until further orders.

At the time, when the said order of the Supreme Court was communicated to the Secretary of the Assembly, the House was not in session and by that time, the detenus had already undergone 29 days of imprisonment. In order to avoid any conflict between the Legislature and the Judiciary, the Speaker directed the Secretary of the Assembly to implement the said order of the Supreme Court to release the detenus.

On 7 September 1989, an adjournment motion was moved by Ch. Vidyasagar Rao and other members under rule 63 of the Rules of procedure and Conduct of Business in Andhra Pradesh Legislative Assembly to take up the issue urgently for discussion. A discussion on the subject was, however, held under rule 304.

After discussion on 14 September 1989, the Speaker observed that when the Legislative, Executive and Judicial wings of the Government functioned within pre-determined and specified limits of a written organic document, the possibilities of friction seemed to be most remote. In India, the Legislature was supreme in regulating its own procedure. The Courts were specifically prohibited from questioning the validity of the procedure as postulated under article 212 of the Constitution. The power to determine the validity of law was vested in the Supreme Court. This power was known as review of the legislation subject to the article 194(3) of the Constitution of India. The Speaker then quoted the first Prime Minister of India Pandit Jawaharlal Nehru, who had said, "No Supreme Court and no judiciary can stand in judgement over the sovereign will of parliament representing the entire will of the community." The Speaker, however, observed that the legislature must respect the Supreme Court and the other High Courts. He felt that as wise people, their duty was to see that in a moment of passion, in a moment of excitement even the representatives of the people did not go wrong. He added that judiciary should also ensure that nothing was done against the Constitution, that may be against the community in the larger sense of the term. But, he asserted that no court or no system of judiciary could function in the nature of a Third House as a kind of Third House of correction.

The Speaker further observed that the need of the hour was mutual respect and harmony between the Legislature and the Judiciary which were two vital limbs of the Government endeavouring for the upliftment of the society free from all injustices and inequalities. Each wing should, therefore, function within its own field and see that democratic ideals were protected and safeguarded in our democracy, he added.

The Speaker noted that the Legislature had the power and jurisdication to commit for its contempt and to take action for the breach of privilege inside the House or outside the House. The High Court or Supreme Court could not go into the question of correctness, propriety or any action taken

in respect of the breach of privilege or contempt of House. The High Courts and the Supreme Court could not in any petition under article 226 or article 32 of the Constitution of India sit in appeal over the decision of the Legislative Assembly. He added that the Legislature had its own procedure and it was the sole judge whether a contempt had been committed or not.

The Speaker said that, in fact, after the Forty-fourth Amendment of the Constitution, it had been made very clear by the judicial pronouncements that no legislation would be required for laying down the privileges of the Legislature and the privileges so evolved would not constitute law within the meaning of article 13. The Courts would not be in a position to interfere even if the fundamental rights were infringed. As such the other provisions of articles 19(1) and 21, which were general, must yield to article 194(1) and later part of clause (3) which were special.

The Speaker observed that the House had shown restraint on a number of occasions just to maintain the higher standards and to see that the Legislature did not become an instrument of creating disharmony and to see that the high standards which were laid down in the Constitution were maintained.

The Speaker noted that on perusal of the relevant papers in the instant case, including the affidavits filed by the contemnors, it became very obvious that the delinquents had not approached the Court with clean hands, since their submissions before the High Court were entirely different from what they had submitted to the Supreme Court.

The Speaker concluded that there was no other option left for this august House except to see that the earlier resolution was implemented *in toto* irrespective of the outcome of the writ petition* filed in Supreme Court under article 32 of the Constitution of India.

HARYANA VIDHAN SABHA

Alleged threatening of a member by outsiders: On 22 August 1988, Shri Hira Nand Arya, a member, gave notice of a question of privilege against Sarvashri Rajinder Chaudhary and Sita Ram Jindal of M/s Jindal Irrigation Limited, Bhiwani for allegedly threatening him on telephone and also for issuing a notice to sue him for damages on account of defamation. Shri Arya stated in his notice that he had received a telephonic call from Shri Rajinder Chaudhary reminding him that during

* The writ petition could not come up for hearing due to the dissolution of the Legislative Assembly on 28 November 1989.

the Budget Session in 1988, the matter regarding sprinkler sets was raised by him on the floor of the House and later reported in the newspapers, according to Shri Chaudhary, was *bakwas*. The caller told the member that he could not harm the Jindal Industries as the Chief Minister was in their pocket and also threatened the member to keep quiet otherwise he would be silenced for ever. The member added that earlier on 10 June 1988, Shri Arya had received a notice from M/s Jindal Irrigation Limited, Bhiwani for his "highly bougus, motivated, biased and malicious campaign" against the firm through his active concert and connivance with one of their competitors causing substantial damage to their good will and reputation by the said nefarious practices compelling them to file a suit for damages for rupees 20 crores against him and his abetters.

The Speaker gave his consent to the raising of the question of privilege on the floor of the House. On 26 August 1988, Shri Arya moved a motion that the matter might be referred to the Committee of Privileges for examination, investigation and report. The motion was adopted and the matter was referred to the Committee of Privileges.

Sarvashri Rajinder Chaudhary and Sita Ram Jindal, the alleged contemners, thereupon made applications on 1 September 1989, for hearing through their counsel, Shri L.R. Goyal, Advocate, for exemption from their personal appearance before the Committee and for dropping the proceedings. Since those applications were addressed to the Chairman, Committee of privileges, the Speaker referred them to the Committee for examination and report. Later, the Speaker permitted the alleged contemners to be heard by a counsel appointed by them and approved by the Committee.

The Committee of Privileges after considering the material on record and hearing in person Shri Ashok Aggarwal, Advocate, who appeared before the Committee on behalf of the alleged contemners, in their Report presented to the House on 11 September 1989, *inter alia* reported that Shri Aggarwal had based his arguments mainly on two grounds: that first as per affidavits of Sarvashri Rajinder Chaudhary and Sita Ram Jindal, they had neither made the telephonic call to Shri Hira Nand Arya, nor they had authorised any one else to put the call through to him. The second argument of the counsel was that neither Shri Chaudhary nor Shri Jindal had sent any notice nor had he authorised anyone else to send the notice dated 10 June 1988 to Shri Arya.

The Committee felt that there could hardly be any two opinions that a telephonic call threatening the member and a notice served on him to sue him for damages definitely amounted to a breach of privilege. They also

did not entertain any doubts about the truth and correctness of the contention of the member in his complaint. But what needed thread bare examination by the Committee was whether the alleged telephonic call and the notice was issued by the contemners in order to hold them guilty of breach of privilege of the august House, the Committee added.

The Committee observed that since neither the complainant in his statement had stated anywhere that he recognised the voice of Shri Chaudhary nor could his voice be deciphered, in which circumstances, it was very difficult to establish the breach of privilege against Sarvashri Chaudhary and Jindal on this account. Similarly, the identity of the person who had signed the notice dated 10 June 1988 to Shri Arya could not be established. Moreover, after carefully considering all the material on record and even after taking notice of the signatures of the contemners on affidavits and power-of-attorney submitted to the Committee and comparing the same with the signatures put on the alleged notice, it could not be established that the signatures put on the notices were those of any of the contemners. The Committee also took into account the fact that in this present world of competitive business and rivalries, anything was possible to run down the rivals. Anybody could get the letter pad printed and issue it on behalf of another man. The Committee further observed that the counsel had categorically stated that Sarvashri Chaudhary and Jindal or the firm M/s. Jindal Irrigation Ltd. had nothing to do with the issuance of notice dated 10 June 1988 to Shri Arya, for whom, he being the elected representative of the people, the alleged contemners had great regard. The counsel further contended that the alleged contemners had highest esteem and regard for the Committee and the members of the august House and the same had been pleaded in their affidavits submitted to the Committee.

In view of the above, the Committee recommended that since neither the identity of the person making the call nor the identity of the person who sent the registered letter dated 10 June 1988 to Shri Hira Nand Arya could be established, the matter be treated as closed.

The Report of the Committee was adopted by the House on 11 September 1989.

7

PROCEDURAL MATTERS

LOK SABHA

Recognition of Leader of the Opposition: On 13 December 1989, a letter was received from Congress (I) party to the effect that Shri Rajiv Gandhi would be Leader of the party in Lok Sabha as well as Leader of the Opposition in the House. The Congress (I), being in opposition to the Government and having the largest numerical strength, Shri Rajiv Gandhi was recognised as Leader of the Opposition in Lok Sabha with effect from 18 December 1989 in terms of section 2 of the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977. Announcement to this effect was made by the Speaker in the House on 20 December 1989 and a Notification was issued by the Ministry of Parliamentary Affairs on 21 December 1989.

Non-inclusion of names of members, who had recorded their vote during a division, in the result published in printed proceedings: The Constitution (Sixty-Second Amendment) Bill, 1989, required to be passed by the special majority under article 368 of the Constitution, was taken up for consideration and passing on 22 December 1989 (*i.e.* four days after the first meeting of Ninth Lok Sabha). The voting thereon took place on 26 December 1989. As by that time seat numbers (being the same as division numbers) were not allotted to individual members in the House, it was decided with the concurrence of the House that division on the Bill might be held by operating the automatic vote recording system without recording the names of members in proceedings. The division was accordingly held on the motion for consideration of the Bill and result flashed on the board was announced by the Chair after taking into account correction slips received from members. The motion was accordingly adopted by the requisite majority. As names were not recorded in the proceedings, the position was explained by following foot-note in debates:

> Names of members who had recorded votes have not been included as division nos. had not been allotted to members till then.

Laying on the Table a book containing list of newly elected members: On 18 December 1989, *i.e.* the first sitting of Ninth Lok Sabha, Secretary-General laid on the Table a book containing the list of members elected to Lok Sabha in the general elections of 1989, duly authenticated by the Chief Election Commissioner as per item included in the List of Business

for that day. A departure in this regard had been made from the established practice followed since 1967 whereby the Chief Election Commissioner used to present the booklet personally to the Speaker.

STATE LEGISLATURES

GUJARAT LEGISLATIVE ASSEMBLY

Use of stationery supplied by Legislature Secretariat: On 26 September 1989, Shri Ashok Bhatt, a member, while raising a point of propriety, submitted that the District Congress Committee of Gandhinagar had issued invitations to its party members on the stationery supplied by the Legislature Secretariat, having national emblem on it. Shri Bhatt contended that the District Congress Committee, by misusing the stationery, had committed contempt of the House. On the subsequent day, Shri Kasam Bapu Limbadiya, a member from the ruling party and President of District Congress Committee, explained before the House that the stationery had been used inadvertently and there was no intention to commit any breach of propriety. The Speaker, thereupon, observed that the way in which the stationery supplied by the Legislature Secretariat was used, was not proper and the members should take care to see that such stationery was used for the very object for which it was supplied.

TAMIL NADU LEGISLATIVE ASSEMBLY

Adjournment motion on matters sub-judice not allowed but elucidation regarding enquiry permissible: Consequent on Chair's refusal to the adjournment motions given notice of by some members on 31 October 1989 for the purpose of discussing communal clashes in certain places, clarifications were sought as to the reasons for inadmissibility. The Chair, thereupon, observed that in the instant case inasmuch as a Commission of Enquiry had already been ordered by the Government, the adjournment motions were disallowed and hence it would be proper to divulge views only before the Commission and not anywhere else. Interpreting the relevant rules governing the admissibility of discussion on matters *sub-judice,* the Chair refused consent for any discussion in the House on the incidents as that would prejudice the consideration of the matter by Commission of Enquiry, but conceded to allow the members to elucidate information regarding the details of the proposed enquiry.

Discussion on different Bills with identical subject: When four different Bills on an identical subject were to be taken up for consideration on 2 November 1989, the Chair, due to less time left at the disposal of the House, held that the members instead of speaking on each Bill, separately, could offer their views simultaneously on all the four Bills during the

consideration stage of the first Bill, in which case the remaining three Bills might be put straightaway to vote without deliberations. Accordingly, the Bills were taken up for consideration and passed.

8

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 OCTOBER TO 31 DECEMBER 1989)

INDIA

DEVELOPMENTS AT THE UNION

Election to Rajya Sabha: Congress (I) nominee, Aliya Zuberi was declared elected to Rajya Sabha from Uttar Pradesh on 6 October.[1]

Disqualification of Rajya Sabha Member: Chairman, Rajya Sabha, Dr. Shanker Dayal Sharma announced the disqualification of Congress (I) member, Shri Satya Pal Malik, on 11 October, following which he ceased to be a member of the House.[2]

General elections to Ninth Lok Sabha: On 22 and 24 November, general elections for 525 Lok Sabha seats were held in all States except Assam, to elect members to Ninth Lok Sabha. With the results for 524 seats declared, the Ninth Lok Sabha was constituted on 2 December. Apart from the 14 seats in Assam for which the elections were not held, polling was countermanded in one constituency each in the States of Goa, Madhya Pradesh, West Bengal and Tamil Nadu. The results for the last of the 525 seats, withheld earlier, was declared on 3 December.

The party position in the Ninth Lok Sabha as on 2 December 1989, stood as follows:

Indian National Congress — 194; Janata Dal — 141; Bharatiya Janata Party — 86; Communist Party of India (Marxist) — 32; Communist Party of India — 12; All India Anna Dravida Munnetra Kazhagam — 11; Shiromani Akâli Dal (Simranjit Singh Mann) — 6; Revolutionary Socialist Party — 4; All India Forward Bloc — 3; Jammu and Kashmir National Conference — 3; Bahujan Samaj Party — 3; Jharkhand Mukti Morcha — 3; Telugu Desam Party — 2; Muslim League — 2; Indian People's Front — 1; Maharashtrawadi Gomantak Party — 1; Marxist Coordination — 1; Indian Congress Socialist (Sarat Chandra Sinha) — 1; All India Majlis-E-Ittehadul Muslimeen — 1; Kerala Congress(M) — 1; Shiv Seva — 1;

1. *Indian Express*, 7 October 1989.
2. *National Herald*, 12 October 1989.

Sikkim Sangram Parishad — 1; Akhil Bharatiya Hindu Mahasabha — 1; Gorkha National Liberation Front — 1; and Independents — 12.[3]

New Government: In a communique issued from Rashtrapati Bhavan, President Shri R. Venkataraman invited the leader of Janata Dal and the National Front in Parliament, Shri Vishwanath Pratap Singh on 1 December, to form the Government, following the decision of the Congress (I), the single largest party in the House, not to stake its claim to form the Government.

Meanwhile, in a joint letter to the President, the leaders of the CPI, CPI (M), RSP and the Forward Bloc, pledged their full support to Shri V.P. Singh. The BJP had already written to the National Front, affirming its critical support in forming a Government.[4]

New Prime Minister and Deputy Prime Minister: On 2 December, President Shri R. Venkataraman administered the oath of office and secrecy to Shri Vishwanath Pratap Singh as the Prime Minister and Shri Devi Lal as the Deputy Prime Minister.[5].

New Ministry: President Shri R. Venkataraman administered the oath of office and secrecy to 15 Cabinet Ministers and two Ministers of State on 5 December. The Ministers were allocated portfolios the next day as follows:

Cabinet Ministers: Shri Vishwanath Pratap Singh (Prime Minister): *Defence, Personnel, Public Grievances and Pensions, Science and Technology, Atomic Energy, Electronics, Ocean Development, Space, Environment and Forests and other subjects not allocated to any other Cabinet Minister or Minister of State.* Shri Devi Lal (Deputy Prime Minister): *Agriculture*; Shri Madhu Dandavate: *Finance*; Shri George Fernandes: *Railways*; Shri Ajit Singh: *Industry*; Shri Sharad Yadav: *Textiles* with additional charge of *Food Processing Industries*; Shri Mufti Mohamad Sayeed: *Home Affairs*; Shri Arun Kumar Nehru: *Commerce and Tourism*; Shri Arif Mohammad Khan: *Energy* with additional charge of *Civil Aviation*; Shri Ram Vilas Paswan; *Labour and Welfare;* Shri I. K. Gujral: *External Affairs;* Shri M.S. Gurupadaswamy: *Petroleum and Chemicals;* Shri P. Upendra: *Information and Boradcasting and Parliamentary Affairs;* Shri K. P. Unnikrishnan: *Surface Transport* with additional charge of *Communications*; Shri Dinesh Goswami: *Steel and Mines* with additional charge of *Law and Justice;* and Shri Murasoli Maran: *Urban Development.*

Ministers of State: Shri Manubhai Kotadia: *Water Resources* (Independent charge); Shrimati Maneka Gandhi: *Environment and Forests.*[6].

New Ministers: President R. Venkataraman, administered the oath of

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3. *National Herald,* 18 October and 23 November 1989; *Times of India,* 18 and 24 October 1989; and *List of Party Position as on 2 December, compiled by Lok Sabha Secretariat.*
4. *Hindu, Indian Express and Times of India,* 2 December 1989.
5. *Statesman,* 3 December 1989.
6. *Hindu* and *Indian Express,* 7 December 1989.

Office and secrecy to Shri Nathu Ram Mirdha as member of the Union Cabinet on 8 December. He was allocated the portfolio of Food and Civil Supplies. On 18 December, eminent scientist Dr. M.G.K. Menon was inducted into the Council of Ministers as the Minister of State for Science and Technology with independent charge.[7]

New Chief Justice: Justice Sabyasachi Mukherjee was appointed the Chief Justice of India on 12 December, succeeding Justice E.S. Venkataramaiah. He was sworn in on 18 December.[8]

New Speaker: Janata Dal MP from Orissa, Shri Rabi Ray, was unanimously elected Speaker of the Ninth Lok Sabha on 19 December. [9]

Additional portfolio for Minister: According to a Rashtrapati Bhavan communique issued on 25 December, Minister of State for Science and Technology, Dr. M. G. K. Menon would assist the Prime Minister in the work relating to the Department of Ocean Development, Electronics, Atomic Energy and Space.[10]

AROUND THE STATES

Andhra Pradesh

Resignation of MLAs: Telugu Desam MLAs, Sarvashri N. Varadarajulu Reddy and M. Narasimhulu, resigned from the State Assembly on 22 and 31 October, respectively.[11]

Resignation of Speaker: The State Assembly Speaker, Shri G. Narayana Rao, resigned his office as also his membership of the Legislative Assembly on 27 October.[12]

Assembly election results: In the State Assembly elections held on 22 November, the Congress (I) won 180 seats, while the Telugu Desam Party won 74 seats, out of results for 293 seats declared in the 295—member House. The CPI got eight seats, the CPI(M) six, the Majlis Ittehad-ul-Muslimeen four, the BJP five, the Janata Dal one and independents 15. Election to one seat was countermanded.[13]

Resignation of Chief Minister: Chief Minister Shri N.T. Rama Rao submitted his resignation on 28 November to Governor, Kumari Kumudben Joshi and recommended dissolution of the State Assembly, following the poor performance of the ruling Telugu Desam Party in the State

7. *National Herald*, 9 and 19 December 1989.
8. *Times of India*, 13 December 1989 and *Telegraph*, 19 December 1989.
9. *Hindu*, and *Times of India*, 20 December 1989.
10. *Telegraph*, 26 December 1989.
11. *Hindu*, 23 October 1989; and *Times of India*, 1 November 1989.
12. *Statesman*, 28 October 1989.
13. *Hindu* , 30 November 1989.

Assembly elections in which Congress (I) had won clear majority. On 29 November, the Governor dissolved the State Assembly.[14]

New Ministry: Governor, Kumari Kumudben Joshi, administered the oath of office and secrecy to Dr. M. Chenna Reddy as the Chief Minister along with 18 other members of his Ministry, on 3 December. Following is the list of Ministers and their portfolios:

Cabinet Ministers: Dr. M. Chenna Reddy (Chief Minister): *General Administration, Home, Law and Order* and *six other Departments;* Shri R. Chenga Reddy: *Panchayati Raj;* Shri J. C. Divakar Reddy: *Cooperation;* Shri V. Hanumantha Rao: *Youth Affairs and Sports;* Shri N. Janardhan Reddy: *Agriculture;* Shri M. Padmanabham: Handloom and Textiles; Shri K. Ranga Rao: *Housing;* Shri M. Ravindranath Chowdar: *Endowments;* Shri K. Rosiah: *Finance, Power and Legislative Affairs;* Shri D. K. Samar Simha Reddy: *Revenue:* Shri N. Srinivasul Reddy: *Roads and Buildings, Mining and Geology;* Shri G.V. Sudhakara Rao: *Transport;* and Shri S. Venkata Reddy: *Animal Husbandry.*

Ministers of State: Shri M. Venkateswara Rao: *Marketing;* Shri Chittaranjan Das: *Labour and Employment;* Shrimati Geetha Reddy: *Social Welfare;* Shri Mohammad Jani: *Wakf and Urdu Academy;* Shri Ishwar Kumar: *Technical Education;* and Shrimati R. Samantaka Mani: *Women and Child Welfare.*[15]

ASSAM

Resignation of Governor: Governor, Shri Harideo Joshi, submitted his resignation on 3 December, following his election as leader of the Congress (I) Legislature Party in Rajasthan.[16]

BIHAR

Death of Deputy Speaker: Deputy Speaker of the State Assembly, Shri Shiv Nandan Paswan passed away on 15 November.[17]

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14. *Times of India,* 28 November 1989; and *Hindu,* 29 November 1989.
15. *Hindustan Times,* 6 December 1989.
16. *Statesman,* 4 December 1989.
17. *Hindustan Times,* 16 November 1989.

New Ministry: A 39-member, 2-tier Ministry headed by Shri Jagannath Mishra, was sworn in at Raj Bhavan on 6 December. Another Minister was sworn in the next day, raising the strength of the Ministry to 40. The following is the list of Ministers and their portfolios:

Cabinet Ministers: Shri Jagannath Mishra (Chief Minister): *Cabinet Coordination, Home (excluding Jails), Finance, Personnel and Administrative Reforms, Industries (excluding Handloom and Silk), Law and other portfolios not allotted to any Minister;* Shri Lahtan Chaudhury: *Agriculture* and *Minor Irrigation;* Shri Ram Lakhan Singh Yadav; *Energy Building Construction and Housing;* Shrimati Uma Panday: *Human Resoures* and *Rajbhasha:* Shri Mohammad Hussain Azad: *Health and Family Welfare;* Shri Ramashray Prasad Singh: *Road Construction, Parliamentary Affairs and Sugarcane;* Shri Ram Sharan Prasad Singh: *Excise and Prohibition;* Shrimati Sumitra Devi: *Urban Development;* Shri Muneshwar Nath Singh: *Rural Development and Transport;* Shri Dilkeshwar Ram: *Public Health Engineering* Shri Indranath Bhagat: *Forests and Environment;* Shri Ramanand Yadav: *Labour, Employment and Training;* Shri Shiv Chandra Jha: *Planning and Development, and Science and Technology;* Shrimati Sushila Karketta: *Mines and Geology;* Shri H.H. Rahman: *Water Resources (excluding Minor Irrigation);* Shri Bilat Paswan Bihangam: *Animal Husbandry and Fisheries;* Shri Brij Kishore Narain Singh: *Food, Civil Supplies* and *Commerce;* Shri Vijay Shankar Dubey: *Cooperation* and *Public Relations Department;* Shri Abdul Razak Ansari: *Handlooms, Silk and Tourism;* and Shri Devendra Nath Champia: *Welfare.*

Ministers of State: Shri Shyam Sunder Prasad Singh: *Finance;* Shri Shyam Sunder Singh Dheeraj: *20-Point Programme Implementation* and *Institutional Finance* (Independent charge); Shri Madan Prasad Singh: *Jails* (Independent Charge), *Science and Technology;* Shri Awadh Bihari Singh: *Industries;* Shri Thomas Hansda: *Energy, Building* and *Housing;* Shri Rajendra Prasad Yadav: *Water Resources;* Shri Yogeshwar Jha: *Human Resource Development* and *Rajbhasha;* Shri S. P. Rai: *Health and Family Welfare;* Shri Abhiram Sharma: *PHED;* Shri Jyoti: *Cooperation* and *Transport;* Haji Ainul Haq: *Agriculture and Minor Irrigation;* Shri Furkan Ansari: *Rural Development;* Shri G.S. Ramchandra Das: *Labour, Employment and Training;* Shri Ashok Kumar: *Mines and Geology;* Shri O. P. Lal: *Excise and Prohibition;* Shri Suresh Prasad Yadav: *Food, Civil Supplies* and *Commerce;* Shri Ranjit Singh: *Urban Development;* Shri Khipanath Pathak: *Revenue, Relief and Rehabilitation;* and Shri Sankateshwar Singh:

Road Construction, Forest and Environment.[18]

Nominations to Legislative Council: On 30 December, Governor, Shri Jagannath Pahadia nominated eight members to the State Legislative Council on the recommendation of Chief Minister Dr. Jagannath Mishra. They Were: Sarvashri Madhav Sinha, Rajendra Singh Bismil, Padmasa Jha, Gyan Ranjan, Mishri Sada, Abdul Manan, Hulas Chand Lahoti and Bhagwati Murmu.[19]

GOA

Assembly election results: The elections to the State Assembly were held on 22 November, with elections from two constituencies countermanded. However, until the holding of elections for the two countermanded seats on 7 January and declaration of their results on 8 January, stalemate continued, with Congress (I) and Maharashtravadi Gomantak Party both staking their claim to form Government having won 18 seats each. The Congress (I) ultimately won majority when the results of the two countermanded seats went in its favour.

The party position in the State Assembly is as follows: Congress (I) - 20; Maharashtrawadi Gomantak Party — 18; and Independents — 2.[20]

New Ministry: On 9 January, Shri Pratapsinh Rane of the Congress(I) was sworn in as Chief Minister of the State. Members of his Ministry were sworn in the next day.

The list of Ministers and their portfolios is as follows: Shri Pratapsinh Rane (Chief Minister): *Home and Finance, Town and Country Planning, Personnel, General Administration and Vigilance, Education, Art* and *Culture, Transport* and *Public Works;* Shri Wilfred De Souza: *Health, Tourism, Science and Technology, Environment, Planning and Forests;* Shri Francisco *Sardinha: Agriculture, Irrigation, Rural Development, Fisheries, Food and Civil Supplies* and *Animal Hisbandry:* Shri Subash Shirodkar: *Cooperation, Panchayati Raj, Community Development, Information, Sports and Youth Affairs,* Shri Luizinho Faleiro: *Urban Development, Mining, Social Welfare, Law and Judiciary, Legislative Affairs, Revenue, Labour and Employment;* and Shri Carmo Pegado: *Industries*

18. *Hindustan Times* and *Indian Express,* 8 December 1989.
19. *Hindustan Times,* 31 December 1989.
20. *Telegraph,* 29 November, 1989; *Times of India,* 8 January, 1990; *Hindu,* and *Free Press Journal,* 9 January, 1990

and Mines, Inland Waterways, Power and Weights and Measures.[21].

New Speaker: Congress(I) nominee Shri Luis Proto Barbosa was elected Speaker of the State Assembly on 22 January.[22]

GUJARAT

Death of Minister: On 22 November, Health Minister, Shri Vallabhbhai Patel succumbed to injuries he sustained after being stabbed by an assailant on 21 November.[23]

New Ministry: A 25-member Ministry, with Shri Madhavsinh Solanki as the Chief Minister was sworn in on 13 December. Governor, Shri R.K. Trivedi, administered the oath of office and secrecy to 12 Cabinet Ministers and 12 Ministers of State.

The Cabinet Ministers were: Sarvashri Mahant Vijay Das, Harisinh Mahida, Arvind Sanghvi, Maganbhai Solanki, Nalin Patel, Hasmukh Patel, Kasambapu Tirmizi, Suresh Mehta, Jivu Bhai Zala, Virji Muniya, Motibhai Chavada and Navin Shastri.

The Ministers of State were: Shrimati Noorjehan Babi, Shrimati Shantaben Makwana, Shrimati Jayanti Kalaria, Shrimati Chandrikaben Chaudasama, Sarvashri Barjul Patel, Jeetendra Shah, Govindbhai Patel, Bhadrasinh Vaja, Mehendra Patel, Ramanlal Vanotaria, Ramesh Thakore and Narendra Raval.[24]

HARYANA

Resignation of Member: Janata Dal MLA, Shri Raghu Yadav's resignation from the membership of the Assembly was accepted by the Speaker, Shri H.C. Chatha on 7 October.[25]

Resignation of Ministers: On 16 November, three Ministers, Shri R.K. Punia (Industries), Shri Hari Singh Saini (Civil Aviation) and Shri Lachhman Singh Kamboj (Housing), resigned from the Cabinet in protest against alleged large-scale humilation of non-Jats and those belonging to scheduled castes and also against rampant corruption prevailing in the State. On 17 November, Shri Paramanand, Minister of Forests and Wild Life Preservation, also resigned from the Ministry. Chief Minister Shri Devi Lal retained with himself the protfolios held by the erstwhile four Ministers.[26]

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21. *Statesman*, 13 January 1990.
22. *Free Press Journal*, 23 January 1990.
23. *Free Press Journal*, 23 November 1989.
24. *Hindustan Times*, 14 December 1989.
25. *Hindustan Times*, 8 October 1989.
26. *Tribune*, 17 and 18 November 1989; and *Hindustan Times*, 21 November, 1989.

Bye-election result: Congress(I) nominee, Shri Ajay Singh, was declared elected to the State Assembly from the Rewari constituency on 27 November, defeating his nearest Janata Dal rival, Shri Ajit Singh, in a bye-election.[27]

New Chief Minister: Governor, Shri H.A. Barari, administered the oath of office and secrecy to Shri Om Prakash Chautala as Chief Minister on 2 December, following the resignation of Shri Devi Lal, who was sworn in as the Deputy Prime Minister of India.[28]

New Ministry: On 5 December, a 20-member two-tier Ministry was administered the oath of office and secrecy. The following is the List of Ministers and their portfolios:

Cabinet Ministers: Shri Om Prakash Chautala (Chief Minister) Retained 20 Departments, including *General Administration and Civil Aviation;* Shri B.D. Gupta (Deputy Chief Minister): *Finance* and *Legislative Affairs;* Shri Sampat Singh: *Home* and *Industries;* Shri Hukam Singh: *Education;* Shri Jagannath: *Social Welfare;* Shri Virendra Singh: *Irrigation, Power* and *Parliamentary Affairs;* Rao Ram Narain: *Revenue;* Shri Om Prakash Bhardwaj: *Public Works;* Rao Laxmin Narain: *Industrial Training;* Shri Ranjit Singh: *Agriculture* and *Excise;* Shri Mahavir Singh: *Public Health;* and Shri Subhash Katyal: *Local Government.*

Ministers of State: Shri Raghubir Singh: *Jails* and *Forests;* Shri Balbir Singh Saini: *Labour and Employment;* Shri Azmat Khan: *Animal Husbandry; Shri Narain Singh Dhanda: Food and Civil Supplies;* Shri Sachdev Tyagi: *Dairy Development, Irrigation and Power;* Shri Manphool Singh: *Elections;* Shri Hassan Mohammed: *Works;* Shri Dharambir Singh: *Transport;* and Shri Divpal Singh: *Cooperation* 29

Himachal Pradesh

Death of MLA: Congress(I) MLA, Shri Devi Singh, passed away on 11 November.[30]

Jammu and Kashmir

Cabinet reshuffle: Chief Minister, Dr. Farooq Abdullah, reshuffled his Ministry by dropping nine Ministers, while elevating two Ministers, Sheikh Mustafa Kamal and Chaudhari Mohammed Ramzan of the

27. *Telegraph*, 28 November 1989.
28. *National Herald*, 3 December 1989.
29. *Tribune*, 7 December 1989.
30. *Tribune*, 13 November 1989

National Conference to the Cabinet rank and inducting Shri Hari Lal Hiteshi of the Congress(I) as a Minister of State.

On 28 December, the Chief Minister re-allocated Ministerial portfolios as follows:

Cabinet Ministers: Dr. Farooq Abdullah (Chief Minister): *General Administration, Tourism* and *Information;* Shri Mohiuddin Shah: *Education;* Shri Abdul Rahim Rather: *Finance, Excise* and *Taxation;* Shri Mohammad Shafi: *Agriculture and Cooperation;* Shri Attaullah Suhrawardy: *Revenue* and *Local Self Government;* Shri Iftikhar Hussain Ansari: *Industries;* Shri Ghulam Rasool Kar: *Power;* Shri Mangat Ram Sharma: *Food Supplies* and *Transport.* Chowdhury Mohammad Ramzan: *Forests;* Shri Mustafa Kamal: *Wakfs and Public Health; Engineering;* and Mirza Abdul Rashid: *Health and Family Welfare.*

Ministers of State: Shri Suram Singh: *Agriculture and Cooperation;* Shri M.A. Ganai: Independent charge of *Law and Judiciary;* Shri Altaf Ahmed: *Animal Husbandry;* and Shri Hari Lal Hiteshi: *Education and Social Welfare.*[31].

KARNATAKA

Assembly election results: In the elections held for the 224-member State Legislative Assembly on 24 November, Congress(I) won 177 seats and the Janata Dal 24, with results of all the 222 seats, which went to the polls, being declared. The remaining seats were shared by other parties as follows: BJP got four seats, Janata Party(JP) two, AIADMK one, IUML one, MES four, Raitha Sangha two and independents seven.[32]

New Chief Minister: Shri Veerendra Patil was sworn in as Chief Minister of Karnataka on 30 November, for the second time after a lapse of 21 years. Earlier, Shri Patil was unanimously elected leader of the Congress(I) Legislature Party.[33]

New Cabinet: On 6 December, 10 Ministers were administered the oath of office and secrecy by Governor Shri P. Venkata Subhaiah. Sarvashri Aziz Sait, B. Basavalingappa, T.N. Narasimaha Murty, G. Puttuswamy Gowda, M. Rajasekhar Murthy, K.H. Ranganath, B. Shivanna, M. Veerappa Moily and Shrimati Manorama Madhavaraj, were sworn in as Cabinet Ministers, while Shri K.J. George was the lone Minister of State.[34]

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31. *Statesman,* 28 and 29 December 1989; and *Hindustan Times,* 28 December 1989.
32. *Hindu,* 29 November 1989.
33. *Hindu and Tribune,* 1 December 1989.
34. *Hindu, and Times of India,* 7 December 1989.

New Speaker: Congress(I) MLA, Shri S.M. Krishna was unanimously elected as Speaker of the State Assembly on 17 December.[35]

KERALA

Bye-election results: CPI(M) candidate, Shri Pacheri Kunhiraman was elected to the State Assembly from Taliparamba constituency on 27 November, defeating his nearest rival, Shri P. Balan of the Communist Marxist Party in a bye-election.[36]

MADHYA PRADESH

Resignation of MLA: Congress(I) MLA, Shri Vasudeo Rao Chandrakar resigned from the State Assembly on 28 November, owning responsibility for the defeat of the party nominee in the Durg parliamentary constituency.[37]

New Ministry: Governor, Shrimati Sarla Grewal, administered the oath of office and secrecy to a three-tier Council of Ministers headed by Shri Shyama Charan Shukla on 9 December.

The Ministers were allocated portfolios on 10 December, as follows:

Cabinet Ministers: Shri Shyama Charan Shukla (Chief Minister): Retained 13 portfolios including *General Administration, Administrative Reforms and Training, Aviation, Irrigation, Narmada Valley Development, Public Health Engineering, Public Relations, and Urban Development;* Shri Chitrakant Jaiswal: *Higher and School Education* and *Transport;* Shri Ramji Mahajan: *Religious Trusts and Endowments* and *Jails;* Shri Rajmani Patel: *Manpower Planning* and *Rehabilitation;* Shri Balendu Shukla: *Public Works;* Shri Vithalbhai Patel: *Commerce and Industry* and *Mining;* Shri Kanhaiyalal Sharma: *Local Self-Government;* Shri Ramchandra Bajpai: *Public Health and Family Welfare;* Shri Durgadas Suryanvanshi: *Panchayat and Rural Development; Shri Ganga Thakur: Animal Husbandry, Fisheries and Dairy Development;* Shri Shivbhanu Solanki: *Finance, 20-point Programme Implementation, Planning, Economics and Statistics, Planning Adivasi, Harijan and Backward Classes Welfare;* Shri Jhumuklal Bhedia: *Law, Judicial and Parliamentary Affairs;* Shrimati Kamla Devi: *Women and Child Welfare;* Shri Shivpratap Singh: *Culture* and *Tourism;* Shri Krishnapal Singh: *Revenue;* Shri Rasool Ahmed Siddiqui: *Bhopal Gas Tragedy and Relief Work;* Kumari Vimal Verma: *Food and Civil Supplies and Cooperation;* Shri Bansilal Dhritlahare: *Labour and Social Welfare;* Shri Shashi Bhushan Singh: *Forests;* and Dau Hanumant Singh: *Agriculture.*

Ministers of State: Shri Bhavani Lal Verma: *Revenue, Panchayat and Rural Development;* Shri Shravan Bhai Patel: *Separate Revenue, Sports*

35. *Tribune,* 18 December 1989.
36. *Telegraph,* 28 November 1989.
37. *Indian Express,* 29 November 1989.

and Youth Welfare, Science and Technology, Public Enterprises (all independent charge); Shri Brijnath Saxena: *Public Health Engineering;* Shri Kanti Lal Bhuria: *Manpower Planning, Rehabilitation and Local Self-Government;* Shri Hashmat Siddiqui: *Labour and Social Welfare* and Shrimati Prabha Bhragava: *School Education.*[38]

New Ministers: Four more Ministers of State and three Deputy Ministers were inducted into the Ministry on 12 December. The Ministers of State were: Sarvashri Mahendra Bahadur Singh, Pyarelal Kanwar, Jaswant Singh, and Kishanlal Kurre. The Deputy Ministers were Sarvashri Mahendra Baudh, Nirmal Hirawat and Kirat Ram Singh Kansana.[39]

MAHARASHTRA

New Ministers: Shri N.M. Kamble was sworn in as Cabinet Minister in the Sharad Pawar Ministry on 2 November, raising its strength to 37.[40]

Resignation of Deputy Speaker: Shri Babanrao Dhakne, Deputy Speaker of the State Assembly, resigned his office as well as his membership of the House on 6 December, after he was elected to the Lok Sabha from Beed Constituency.[41]

MEGHALAYA

Bye-election results: Congress(I) candidate Shri Lyngdoh won the Mawkhar Assembly seat defeating his nearest rival Shri E.S. Jyrwa of the Hills People Union in a bye-election to the State Assembly. The Baghmara Assembly seat was also won by the Congress(I) nominee Shri Lofsing Sangma defeating his nearest Hills People Union rival Shri Webert Sangma. The Hills State Peoples Democratic Party candidate Shri T. Lyngdoh won the Pariong Assembly Seat, defeating Congress(I) nominee Shri B.B. Marngar.[42]

New Ministers: Chief Minister Shri P.A. Sangma inducted three new Ministers of State into the Ministry on 20 December, following the resignation of two Cabinet Ministers Sarvashri Atul C. Marak and R.C. Laloo who were assigned party work. The new Ministers of State were: Saravashri S.L. Marbaniang, Don Kupar Ray and Don Kupar Roy Lyngdoh. Shri S.L. Marbaniang would assist the Chief Minister in Education, Finance and Excise while Shri Don Kupar Ray would assist him in Industries, Commerce, Trade and Border Trade and Shri D.K.R.

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38 *National Herald* and *Free Press Journal*, 10 December 1989; and *Times of India*, 11 December 1989.

39 *Hindu*, 13 December 1989.

40 *Free Press Journal*, 3 November 1989.

41 *Statesman*, 8 December 1989.

42 *Hindustan Times*, 28 November 1989

Lyngdoh in Power Department. The number of Ministers following this reshuffle amounts to 21 now.[43]

New Speaker: Shri P. Ripple Kyntiah of the Congress (I) was unanimously elected Speaker of the State Assembly on 20 December. The office of Speaker had fallen vacant, following the resignation of Shri P.G. Marbaniang after his election as Member of Parliament from Shillong Constituency.[44]

ORISSA

Death of Minister: Minister of State for Commerce, Transport, Fisheries and Animal Husbandry, Shri Sarat Chandra Panda, died of a heart attack on 18 October.[45]

Resignation of Chief Minister: Shri J.B. Patnaik submitted his resignation from Chief Ministership to Governor, Professor Nurul Hasan, on 6 December.[46]

New Chief Minister: Shri Hemananda Biswal of the Congress(I) was sworn in as the new Chief Minister on 7 December.[47]

New Ministry: On 9 December, Governor, Professor Nurul Hasan administered the oath of office and secrecy to a 20-member, 3-tier Congress(I) Ministry headed by Shri Hemananda Biswal.

The Chief Minister allocated the portfolios to Ministers as follows:

Cabinet Ministers: Shri Hemanada Biswal (Chief Minister): *General Administration, Home, Industry, Irrigation, Power, Planning, Science and Technology, Community Development and Rural Reconstruction, Works, Housing, Commerce, Transport, Tourism* and *Culture;* Shri Gangadhar Mohapatra: *Finance and Law;* Shri Bhagbat Prasad Mohanty: *Revenue and Excise;* Shri Dambaru Majhi: *Harijan and Tribal Welfare;* Shaikh Matlub Ali: *Education and Youth Services;* Shri Rasbehari Behera: *Agriculture* and *Cooperation;*

Ministers of State: Shri Bhupinder Singh: *Sports and Minor Irrigation;* Shri Amarnath Pradhan: *Information, Public Relations and Lift Irrigation;* Shri Frida Topno: *Education and Youth Services;* Shri Dolagobinda Pradhan: Urban Development; Shri Sitakanta Mohapatra: *Health and Family Welfare;* Shri Saraswati Hembram: *Community Development and Rural Reconstruction;* Shri Mohan Nag: *Fisheries and Animal Husbandry,*

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43 *Hindustan Times,* 21 December 1989.
44 *Hindustan Times,* 21 December 1989.
45 *Hindustan Times,* 19 October 1989.
46 *Hindu,* 7 December 1989.
47 *Hindu,* and *Times of India,* 8 December 1989.

Labour and Employment; Shri Jayadev Jena: *Mining and Geology, Science and Technology;* Shri Raghav Parida: *Food and Civil Supplies;* Shri Netrananda Mallick: *Forests and Environment.*

Deputy Ministers: Shri Parama Pujari: *Health and Family Welfare;* Shri Judhistir Jena: *Harijan and Tribal Welfare* and *Labour and Employment.*[48]

Expansion of Cabinet: Five more Ministers, one of Cabinet rank and four Ministers of State, were inducted into the State Cabinet on 12 December, thus raising the strength of the Ministry to 25. The new Ministers inducted were: Sarvashri Rama Chandra Ulaka (Cabinet rank), Jagannath Raut, Kartik Prasad Tarta, Prakash Chandra Debata and Gajadhar Majhi (all Ministers of State).[49].

PUNJAB

New Governor: President, Shri R. Venkataraman appointed Shri Nirmal Kumar Mukherjee on 7 December, as the Governor of Punjab in place of Shri S.S. Ray who had earlier resigned from the Office. Shri Mukherjee was sworn in on 8 December.[50]

RAJASTHAN

Resignation of Chief Minister: Chief Minister, Shri Shiv Charan Mathur resigned on 2 December, owning responsibility for the ruling Congress(I)'s dismal performance in the Lok Sabha elections.[51]

New Ministry: On 4 December, Governor Shri Sukhdev Prasad administered the oath of office and secrecy to a 12-member Congres(I) Ministry headed by Shri Harideo Joshi.

The Ministers and their portfolios were as follows:

Cabinet Ministers: Shri Harideo Joshi (Chief Minister): *Home, Finance, Planning, Industry, Personnel and Administration, Public Grievances, General Administration, Anti-Corruption* and *Information* and six other Departments; Shrimati Kamla: *Agriculture, Indira Gandhi Canal Project* and *Local Self Government;* Shri Ram Deo Singh Maharia: *Rural Development and Panchayati Raj;* Shri Gulab Singh Shaktawat: *Food and Civil Supplies, Famine and Elections;* Shri Ram Singh Vishnoi: *Cooperatives* and *Transport;* Shri Narpath Ram Barbar: *Revenue;* Shri Damodar Das Acharya: *Education.*

Ministers of State: Shri Zaki Inam: *Medical and Health* and *Arts a*[illegible]*red*
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48 *Hindustan Times,* 12 December 1989.
49 *Statesman,* 4 December 1989.
50 *Tribune,* 8 and 9 December 1989.
51 *Statesman,* 4 December 1989

Culture; Shri Mahendra Kumar Parmar: *PWD* and *Social Welfare;* Shri K.C. Vishnoi: *Tourism, Sports* and *Jail;* Shri Mool Chand Meena: *Labour and Employment;* Shri Sohan Singh Rawat; *Animal Husbandry* and *Fisheries.*[52]

Expansion of Ministry: On 9 December, the State Ministry was expanded by inducting 17 more Ministers. The Cabinet Ministers were: Sarvashri Heeralal Deopura, Chhogaram Bakolia, Madho Singh Dewan, B.D. Kalla and Ram Kishan Verma. The Ministers of State were Sarvashri Raghunath Paritar, Heeralal Indora, Rattan Lal Tambi, Mangi Lal Arya, Bherulal Meena, Iqbal Ahmad, Hari Mohan Sharma, Rajendra Chaudhary, Deenbandhu Verma, Shrimati Girija Vyas and Shrimati Neelima Krishna Sharma. Shrimati Hamida Begam was appointed Deputy Minister. On 15 December, two more Ministers were inducted into the Ministry as Cabinet Ministers. They were Shri Seeshram Ola and Shri Raghunath Paritar who was promoted from the rank of Minister of State.[53]

SIKKIM

Assembly election results: In the election held to the State Legislative Assembly on 26 November, the ruling Sikkim Sangram Parishad (SSP) was swept back to power winning all the seats in the 32-member Assembly. Chief Minister Shri Nar Bahadur Bhandari who won the Soreng seat was unanimously re-elected leader of the SSP Legislature Party.[54]

New Ministry: A 13-member SSP Ministry headed by Shri Nar Bahadur Bhandari was sworn in by Governor Shri S.K. Bhatnagar on 1 December.

The Ministers and their portfolios were as follows:

Shri Nar Bahadur Bhandari (Chief Minister): Incharge of four major Departments including *Home, Finance* and *Planning;* Shri Chamla Tsering: *Public Works* and *Tourism;* Shri P.B. Gurung: *Agriculture* and *Irrigation;* Shri K.N. Uprety: *Food* and *Civil Supplies;* Shri P.L. Gurung: *Rural Development* and *Panchayats;* Shri S.C. Lepcha: *Education* and *Culture;* Shri S.D. Lepcha: *Forests;* Shri P.K. Chamling: *Industry* and *Information;* Shri Birbal Subba: *Power* and *Labour;* Shri O.T. Bhutia: *Health* and *Family Welfare;* Shri S.G. Kaleon: *Excise* and *Animal Husbandry;* Shri M.B. Dahaal: *Sikkim Nationalised Transport;* Shri Shri Ram Lepcha: *Scheduled Castes* and *Scheduled Tribes Welfare* and *Land* Revenue.[55]

Times of India, 5 December, 1989 and *Hindustan Times,* 6 December, 1989.
43 *Hindustan,* 16 December 1989.
44 *Hindu, Press Journal* and *Times of India,* 30 November, 1989.
45 *Hindu, National Herald,* 2 December 1989.
46 *Hindu,* 7 D
47 *Hindu,* and).

TAMIL NADU

Death of MLA: On 12 October, DMK legislator, Shri R. Ettiyappa, representing the Perumallar constituency, succumbed to injuries sustained by him in a road accident on 11 October.[56]

Reshuffle in the Ministry: Some Ministers in the State Ministry were reallocated portfolios on 9 December. The names of Ministers and their portfolios after the re-allocation were as follows: Shri K.S. Mani: *Municipal Administration* and *Rural Development;* Shri N. Veerasamy: *Electricity and Milk* and *Slum Clearance Board;* Shri Pon Muthuramalingam: *Food Price Control* and *Civil Supplies, Cooperation* and *Statistics;* Shri Veerapandi Arumugam: *Agriculture, Agricultural Refinance, Agricultural Engineering and Service Cooperative Societies at the Block, District* and *Apex Levels;* Shri Ponmudi *alias* Deivasigamani: *Public Health, Medicine, Water Board* and *Environmental Pollution Control;* Shri K.N. Nehru: *Information* and *Publicity, Film Technology, Cinematography, Labour Census, Employment* and *Training, Indians Overseas, Refugees* and *Evacuees, Iron* and *Steel Control, Newsprint Control, Stationery* and *Printing* and *Government Press;* Shri S. Thangavelu: *Handlooms, Textiles, Town Planning, Urban Development and Accommodation Control.*[57]

Bye-election result: Shri M. Chinnakulandai of the AIADMK was declared elected on 26 November, to the State Assembly, defeating Shri Ettiammal of DMK in a bye-election from the Peranamallur constituency.[58]

TRIPURA

Cabinet reshuffle: Chief Minister, Shri Sudhir Ranjan Majumdar, reshuffled his 17-member Congress(I)-TUJS coalition Ministry on 20 October, affecting all but one of the nine Ministers of State and restoring some portfolios to two of his Cabinet colleagues.

In the reshuffle, Shri Samir Ranjan Burman was given charge of the Law portfolio (excluding elections) and was also assigned Public Health Engineering in addition to his existing portfolio of PWD. Another Cabinet Minister, Shri Kashiram Reang was given back the portfolio of Health and Family Welfare.

Among the Ministers of State, Shri Rabindra Debbarma was restored the Cooperation Department in addition to the existing portfolio of Power and Primary Education. Shri Jawahar Saha was given independent

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56 *National Herald,* 13 October, 1989.
57 *Hindu,* 10 December 1989.
58 *Hindu,* 30 November 1989.

charge of Printing and Stationery in addition to his earlier portfolio of Local Self-Government, Rural Development and Panchayat.[59]

Bye-election result: TUJS nominee Shri Rabindra Debbarma was declared elected from the Simna Assembly constituency on 27 November, defeating his nearest rival, Shri Rabindra Kishore Debbarma of the CPI(M), in a bye-election.[60]

UTTAR PRADESH

New Ministers: Chief Minister, Shri N.D. Tiwari expanded his Ministry, by inducting two more Ministers in his Cabinet on 10 October. While Shri Sunil Shastri was given charge of Industrial Development, Industrial Production and Institutional Finance, Shri Khan Ghufran Zaidi was made the Housing Minister.[61]

Election to Legislative Council: Congress(I) nominee Shri Satya Prakash Rana was declared elected unopposed to the Legislative Council on 6 October.[62]

Nominations to Legislative Council: Nine persons were nominated to the Vidhan Parishad by the Governor on 20 October, They were Sarvashri Mani Shankar Pandey, Ram Yash Singh, B.N. Singh, Ram Singh Saini, Mahesh Sharma, Rakesh Mishra, Jagveer Singh Vikal, Kuldip Singh and Maharani Dohre.[63]

Assembly election results: In the elections held to the 425-seat State Assembly on 22 November, the ruling Congress(I) party suffered defeat while the Janata Dal emerged as the single largest party. Elections to four constituencies were countermanded. The final party position in the Assembly is as follows:

Janata Dal - 204; Congress(I) - 94; BJP - 57; BSP - 13; CPI - 6; Lok Dal(B) - 2; Janata Party (JP) - 1; CPI(M) - 2; Hindu Mahasabha - 1; Shoshit Samaj Dal - 1; and Independents - 40.[64]

New Ministry: Shri Mulayam Singh Yadav of Janata Dal was sworn in as Chief Minister by Governor Mohammad Usman Arif on 5 December along with other members of his Ministry. The Ministers and their portfolios were as follows:

Cabinet Ministers: Shri Mulayam Singh Vadav (Chief Minister): *Home,*

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59 *Telegraph and Times of India, 21 October 1989.*
60 *Telegraph,* 28 November 1989.
61 *Statesman,* 11 October 1989.
62 *Hindustan Times,* 7 October, 1989.
63 *Hindustan Times,* 21 October 1989
64 *Hindu* and *Indian Express,* 1 December 1989; and *Hindustan Times* and *National Herald,* 3 December 1989.

Finance and *General Administration;* Shri Beni Prasad Verma: *PWD, Parliamentary Affairs* and *Excise;* Shri Reoti Raman Singh: *Irrigation, Small-Scale Industries* and *Environment;* Shri Ram Saran Das: *Sugarcane Development* and *Revenue;* Shri Sachidanand Bajpai: *Education* and *Youth Welfare;* Shri Mukhtar Anis: *Public Health and medicine;* Shri Sukhda Mishra: *Rural Development and Panchayati Raj;* Shri Awadesh Prasad: *Harijan and Social Welfare;* Shri Divakar Vikram Singh: *Food and Civil Supplies;* Shri Mohammed Azam Khan: *Labour and Muslim Waqfs;* Shri Vikramaditya Pandeh: *Urban Development;* Shri Barfia Lal Junwatha: *Hills Development;* Shri Shatrudh Prakash: *Planning* and *Jails;* and Shri Aslam Khan: *Forests* and *Sports.*[65]

West Bengal

Bye-election results: RSP nominee, Shri Debsharan Bose, was declared elected to the State Assembly on 28 November, in a bye-election held from Kaligunj constituency, defeating his Congress(I) rival, Shri Abdus Salam Munshi. In another bye-election, Shri Shanti Ganguli of the Forward Bloc was declare elected from Shyampukur constituency, defeating Shri Shyamal Banerjee of Congress(I).[66]

UNION TERRITORIES

Delhi

New Lt. Governor: On 12 December, Air Chief Marshal (Retd.) Arjan Singh was appointed the Lt. Governor of Delhi replacing Shri Romesh Bhandari.[67]

DEVELOPMENTS ABROAD

Bangladesh

Ministers dropped: President, General H.M. Ershad dropped three Cabinet Ministers and one State Minister from his 45-member Council of Ministers on 24 December. They were Mr. Iqbal Hossain Chowdhury, Mr. M.A. Malek, Mr. Moyeedul Islam, (all Cabinet Ministers) and Minister of State, Mr. Nur Mohammad Khan.[68]

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65 *Hindustan Times* 6 December 1989.
66 *Telegraph,* 29 November 1989.
67 *Hindustan Times,* 13 December 1989.
68 *Statesman,* 25 December 1989.

Brazil

New President: Mr. Fernando Collor de Mello was elected as President of Brazil with 53.03 of the total valid votes cast in the Presidential elections held on 17 December. Mr. Luis Inacio "Lula" da Silva of the Radical Leftist Workers Party received 46.97 per cent votes.[69]

Bulgaria

Resignation of President: Mr. Todor Zhivkov, Eastern Europe's longest serving leader, resigned as General Secretary of the Communist Party and Head of the State on 10 November.[70]

New President: Parliament elected Mr. Peter Mlacdenov as President of the country in place of Mr. Todor Zhivkov on 17 November.[71]

Chad

Swearing-in of President: Mr. Hissene Habre was sworn in as the President of Chad for a seven-year term on 23 December, after the country's voters gave him a fresh mandate on 10 December.[72]

Chile

New President: Leader of the 17-party Opposition alliance, Mr. Patricio Aylwin, was elected President of Chile, winning 55.2 per cent of the vote, in the presidential elections held on 14 December, to succeed General Augusto Pinochet. His two rivals, pro-Government candidates Mr. Hernan Buchi and Francisco Errazuriz, got 29.4 per cent and 15.4 per cent of the vote respectively.[73]

Czechoslovakia

Curb on party monopoly: The Federal Assmebly (Parliament) voted unanimously on 29 November to delete a reference in the Constitution which says that the Communist Party was the "leading force" in the country. The 309 deputies present voted to scrap Article 4, which mandated the leading role of the party, and Article 16 according to which all education must be based on Marxism-Leninism.[74]

New Government: A new Government headed by Mr. Marian Calfa as Prime Minister was sworn in on 10 December, while President Mr. Gustav

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69 *National Herald,* 23 December 1989.
70 *National Herald,* 11 November 1989.
71 *Hindustan Times* and *Statesman,* 18 November 1989.
72 *Statesman,* 24 December 1989.
73 *Statesman,* 16 December 1989.
74 *Hindu,* 1 December 1989.

Husak announced his resignation. The new government consists of two Deputy Prime Ministers, Mr. Jan Carnogursky and Mr. Valter Komarek. Mr. Jassi Dionstbier was appointed the Minister of Foreign Affairs and Mr. Vaclakluns, the Finance Minister, Mr. Peter Miller was appointed the Minister of Labour and Social Welfare.[75]

New president: Opposition leader, Mr. Vaclav Havel was nominated President by all Czechoslovak political parties on 23 December. He would be the country's first new Communist President since 1948.[76]

New Speaker: Mr. Alexander Dubcek was elected the Speaker of Czech Parliament on 28 December.[77]

Denmark

New Minister: On 31 October, Labour Minister Mr. Knud Kirkegaard was appointed the new Finance Minister, in place of Mr. Palle Simonsen, who had earlier resigned his office.[78]

Ethiopia

New Prime Minister: The 15-member politburo decided on 7 November, on the retirement of Prime Minister Fikire Selassie Wogderess on the ground that he was "ill" and could no longer carry out responsibilities of his office. Deputy Prime Minister Mr. Hailu Yimenu was appointed as the acting Prime Minister.[79]

New Deputy Prime Minister: President Mengistu Haile Mariam appointed Mr. Ashagre Yigletu, Secretary of the Central Committee of the Worker's Party of Ethiopia, as Deputy Prime Minister on 23 November.[80]

German Democratic Republic

Resignation of Head of State: The Central Committee of the Socialist Unity Party accepted the resignation of Party General Secretary Mr. Erich Honecker, and elected Mr. Egon Krenz, a politburo member in charge of Security Issues, as well as Government-run Youth groups, in his place on 24 October, Mr. Krenz was elected as Head of State by the Parliament.[81]

Resignation of Government: The Government resigned on 7 November

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75 *Hindustan Times,* 11 December 1989.
76 *Statesman,* 24 December 1989.
77 *Statesman,* 29 December 1989.
78 *Hindu,* 1 November 1989.
79 *Statesman,* 8 November 1989.
80 *Tribune,* 24 November 1989.
81 *Hindu and Times of India,* 19 Ocotober 1989 and *Hindu,* 25 October 1989.

calling upon the Parliament to elect a new Cabinet.[82]

New Prime Minister: The party Chief of Dresden and leading reformer, Mr. Hans Modrow, was named the new Prime Minister on 8 November and was formally elected to the post on 14 November. A new politburo was also elected during a meeting of the Central Committee of the ruling party.[83]

New Speaker: Mr. Guenther Malenda of the Democratic Peasants Party, was elected the first non-Communist Speaker of the 500-member GDR Parliament on 13 November.[84]

New coalition Government: On 17 November, Prime Minister Hans Modrow presented to the Parliament, a 28-member national coalition Government, comprising 17 members from the National Unity Party, four from the Liberal Party, three from the National Democratic Union and two each from the National Democratic Party and peasants party.[85]

Abolition of Party Monopoly: The Parliament of the German Democratic Republic (the *Volkskemmer)* overwhelimingly voted on 1 December, to abolish the Communist Party's constitutionally guaranteed monopoly of power.[86]

Resignation of President: Mr. Egon Krenz resigned as Head of State on 6 December. Later, Liberal Democratic party leader, Mr. Manfred Gerlach was appointed as acting Head of State in his place.[87]

GREECE

Resignation of Government: The Conservative Communist coalition Government resigned on 7 October, after ordering former Prime Minister Mr. Andreas Papandreaou and five other former Socialist Ministers to stand trial on corruption charges.[88]

Parliament dissolved: President Christos Sartzetakis dissolved the parliament on 14 October and announced general elections to be held on 5 November.[89]

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82 *Hindu,* 8 November 1989.
83 *Times of India,* 9 November 1989 and *Statesman,* 15 November 1989.
84 Indian Express, 14 November 1989.
85 National Herald, 18 November 1989.
86 *Times of India,* 2 December 1989.
87 *Free Press Journal and Indian Express,* 7 December 1989.
88 *Hindustan Times,* 7 October 1989.
89 *Hindu,* 15 October 1989.

General election results: In the general elections to the 300-member Legislature on 5 November, the Conservative New Democracy Party led by Constantine Mitsotakis won 148 seats. The Pan-hellenic Socialist Movement (Pasok) of former premier Mr. Andress Papandreou won 128 seats while 22 seats were won by the Communist-led alliance of Left-wing parties.[90]

New Government: For the first time in the country's history, an all-party Government, supported by Conservative Socialists and Communists was formed on 25 November. The Government was headed by Mr. Xenophonats Zololats, who was elected the Prime Minister on 21 November.[91]

GRENEDA

New Prime Minister: Mr. Ben James of National party was named interim Prime Minister on 19 December, following the death of Prime Minister Mr. Herbert Blaye.[92]

HUNGARY

Hungary declared Republic: The Parliament approved a Constitution based on western democratic principles, on 18 October, by replacing the Constitution adopted in 1949 on the Soviet model. The amended Constitution declares Hungary a Republic and no longer a "dictatorship of the proletariat" led by a single Communist Party. The amended Constitution outlines a modern ideologically neutral political system. It upholds both the public and private property by granting them equal treatment.

On 19 October, Hungarian Parliament passed a Bill allowing Opposition parties to operate and contest the first free national elections in more than 40 years.

On 23 October, Hungary formally inaugurated its Westernstyle democracy by proclaiming itself a Republic.[93]

IRAQ

Dismissal of Ministers: Finance Minister Mr. Hikkmat Omar Mukhailef and acting Agriculture Minister Mr. Abdullah Badr Danouk were dismissed from their posts on 7 October. Trade Minister Mr. Mohammed Mahdi Saleh would now hold additional charge of Finance also.[94]

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90 *Statesman*, 8 November 1989.
91 *Telegraph*, 22 and 26 November 1989.
92 *Telegraph*, 21 December 1989.
93 *Times of India*, 19 and 21 October 1989, and *Hindu*, 21 October 1989.
94 *Statesman*, 9 October 1989.

LEBANON

New President: Mr. Rene Muawad, a Deputy in Parliament was elected Lebanon's President on 5 November, at an extraordinary parliamentary session outside Beirut. He was, however, killed in a car bomb explosion in Beirut on 22 November.[95]

New Speaker: The Parliament re-elected Mr. Hussain Husseini a Shiite Muslim, as Speaker for one year on 5 November.[96]

New President: The Parliament elected on 24 November, a Christian Maronite Deputy, Mr. Elias Hrawi, as the country's tenth President.[97]

NAMIBIA

Elections for Constituent Assembly: On 7 November, Namibia went to polls to elect a 72-member Constituent Assembly under the supervision of the UN Transitional Assistance Group. In the results declared on 14 November, SWAPO won 42 seats, the Democratic Turnhalle Alliance 21, the United Democratic Front four, the Action Christian National three and the National Patriotic Front and Federal Convention of Namibia one seat each. The newly-constituted Assembly met in Windhoek on 22 November, to start preparing a Constitution for the country.[98]

NAURU

New President: Following the general elections held on 9 December, Mr. Bernard Douiyogo was installed as the country's new President on 12 December, defeating former long-time President Mr. Hammer De Roburt by a 10-6 vote in a secret ballot of the national Parliament.[99]

NIGER

New President: President Mr. Ali Saibou, was elected as President for a seven-year term on 10 December. A 93-member Legislature was also elected.[100]

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95 *Hindustan Times*, 6 November 1989, *Statesman* 23 November 1989.
96 *Hindustan Times*, 6 November 1989.
97 *Statesman*, 25 November 1989.
98 *Free Press Journal*, 8 November 1989, *Hindu*, 16 November 1989 and *Hindustan Times*, 23 November 1989.
99 *Times of India*, 13 December 1989.
100 *Statesman*, 12 December 1989.

NORWAY

Resignation of Prime Minister: Prime Minister, Mrs. Gro Harlem Brundtland resigned as head of a monority Labour Government on 13 October, paving the way for a Centre-Right coalition to take over. King Olav of Norway invited Mr. Jan Syse, the conservative leader and Prime Minister-elect, to form the new Government the same day.[101]

PAKISTAN

Dismissal of Minister: Prime Minister, Mrs. Benazir Bhutto, dismissed Minster of State for Labour and Manpower, Mr. Tariq Mangsi, from the Cabinet on 25 October.[102]

Resignation of Cabinet: Pakistan Cabinet resigned *en masse* on 13 November, to enable Prime Minister, Mrs. Benazir Bhutto to reshuffle the Ministry.[103]

PERU

New Prime Minister: President Alan Garcia appointed Foreign Minister, Mr. Guillermo Larco Cox as the new Prime Minister on 30 September.[104]

POLAND

Poland declared Republic: Polish Parliament (Sejm) overwhelmingly approved a number of amendments to the Constitution on 29 December, that abolished all references to Poland as a Socialist People's Republic. By a vote of 374-1, with eleven abstentions, the *Sejm* restored Poland's pre-war name, 'Republic of Poland'. It also voted to abandon the Communist Party's leading role which was enshrined in the Constitution and proclaimed the country as "a democratic State ruled by law".[105]

ROMANIA

Ouster of President: President, Mr. Nicolae Ceausescu, who was deposed on 22 December, tried to flee the country escaping arrest, while Defence Minister, Mr. Vasile Miloa committed suicide after being unmasked as a traitor. President Ceausescu was, however, arrested with his family on 23 December and executed on 24 December.[106]

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101 *Hindustan Times*, 14 October 1989.
102 *Statesman*, 26 October 1989.
103 *Hindu*, 14 November 1989.
104 *Tribune*, 2 October 1989.
105 *Hindu*, 31 December 1989.
106 *Hindu*, 23 and 26 December 1989 and *Hindustan Times*, 23,24,and 26 December 1989.

New Leadership: A commnique issued on 26 December by the Council of National Slrvation Front named Mr. Ion Iliescu as the Chairman of the Council and Mr. Dumitru Mazilu as Deputy Chairman. Mr. Petre Raman was appointed Prime Minister till elections were held.[107]

Change in political system: The National Salvation Front, on 31 December, issued a decree guaranteeing the establishment of a multiparty political system and set out rules for registering political parties. Under the new regulation, at least 251 signatures would have to accompany applications to form a political party. Officials in the military, in the judiciary and in radio and television would be barred from joining a party.[108]

SPAIN

Election results: Prime Minister Mr. Felipe Gonzalez and his Socialist Workers Party were returned to power in the general elections to Parliament, held on 29 October, by defeating the Opposition Conservative Popular Party.[109]

Re-election of Prime Minister: The leader of the Spanish Socialist Party, Mr. Felipe Gonzalez, was re-elected Prime Minister on 5 December, for a tnird time.[110]

SWITZERLAND

New President, Vice-President: The Federal Assembly elected Justice Minister, Mr. Arnold Koller as President and Interior Minister Mr. Flario Coffi as Vice-President of the Swiss Conferderation for, the year 1990 on 6 December. The posts are rotated annually among the seven Cabinet members.[111]

TURKEY

Election of President: Prime Minister Turgut Ozal was elected by the Parliament as President on 31 October for a seven year term.[112]

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107 *Hindustan times,* 27 December 1989.
108 *Times of India,* 1 January 1989.
109 *Times of India,* 31 October 1989.
110 *Hindu,* 7 December 1989.
111 *Times of India,* 8, December 1989.
112 *Statesman,* 1 November 1989.

United Kingdom

Resignation of Chancellor of Exchequer: Chancellor of Exchequer, Mr. Nigel Lawson, resigned on 26 October, following serious policy differences with Prime Minister, Mrs. Margaret Thatcher and her Economic Advisor, Mr. Alan Walters who also resigned later.

Meanwhile, in a Cabinet reshuffle, Home Secretary Mr. Douglas Hurd was appointed the Foreign Secretary, replacing Mr. John Major, who took over as the Chancellor of Exchequer. Parliamentary Business Manager, Mr. David Waddington, succeeded Mr. Douglas Hurd as the Home Secretary.[113]

Telecast of House of Commons Proceedings: The House of Commons allowed its proceedings to be telecast live on 21 November, 23 years after the proposal was first mooted. However, under the rules, television networks cannot show unruly scenes inside the House and they will have to focus on the Speaker instead, in such situations. The shots of empty benches are also forbidden.[114]

113 *Hindu*, 27 October 1989.
114 *Hindu*, 22 November 1989.

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DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY INTEREST

The Constitution (Sixty-Second Amendment) Bill, 1989, which seeks to continue the reservation for the Scheduled Castes and the Scheduled Tribes and the representation of the Anglo-Indians by nomination, for a further period of ten years, was passed by Rajya Sabha and Lok Sabha on 21 and 26 December 1989, respectively and received President's assent on 25 January 1990. The Constitution (Sixty-Third Amendment) Bill, 1989, seeking to repeal the Constitution (Fifty-Ninth Amendment) Act, 1988 which had been passed in March 1988, making certain changes in regard to Proclamation of Emergency in Punjab and to the duration of president's rule in the State, was passed by Lok Sabha and Rajya Sabha both on 29 December 1989 and received President's assent on 6 January 1990. The Representation of the People (Amendment) Bill, 1989, seeking to make suitable provisions in the Representation of the People Act, 1951, in order to provide legal validity to postponement of elections from the Parliamentary constituencies in Assam till finalisation of the electoral rolls, was passed by Lok Sabha and Rajya Sabha on 26 and 28 December 1989, respectively and received President's assent on 6 January 1990.

We reproduce here the texts of the above Acts.

—Editor

THE CONSTITUTION (SIXTY-SECOND AMENDMENT) ACT, 1989

An Act further to amend the Constitution of India.

Be it enacted by Parliament in the Fortieth Year of the Republic of India as follows:—

1. *Short title and commencement: (1)* This Act may be called the Constitution (Sixty-second Amendment) Act, 1989.

(2) It shall be deemed to have come into force on the date on which the Bill for this Act is introduced in the Council of States.

2. *Amendment of article 334:* In article 334 of the Constitution, for the words "forty years", the words "fifty years" shall be substituted.

THE CONSTITUTION (SIXTY-THIRD AMENDMENT) ACT, 1989

An Act further to amend the Constitution of India.

Be it enacted by Parliament in the Fortieth Year of the Republic of India as follows:—

1. *Short title and commencement: (1)* This Act may be called the Constitution (Sixty-third Amendment) Act, 1989.

(2) It shall come into force with immediate effect.

2. *Amendment of article 356:* In article 356 of the Constitution, in clause (5), the proviso shall be omitted.

3. *Omission of article 359A:* Article 359A of the Constitution shall be omitted.

THE REPRESENTATION OF THE PEOPLE (AMENDMENT) ACT, 1989

An Act further to amend the Representation of the People Act, 1951.

Be it enacted by Parliament in the Fortieth Year of the Republic of India as follows:—

1. *Short title and commencement: (1)* This Act may be called the Representation of the People (Amendment) Act, 1989.

(2) It shall be deemed to have come into force on the 21st day of October, 1989.

2. *Insertion of new section 73AA:* In the Representation of the People Act, 1951 (hereinafter referred to as the principal Act), after section 73A, the following section shall be inserted, namely:—

"73AA. *Special provision as to certain elections:* Notwithstanding anything contained in section 73 or in any other provision of this Act, with respect to the general election for the purpose of constituting a new House of the People upon the expiry of the term of the House of the People in existence on the commencement of the Representation of the People (Amendment) Act, 1989, —

(a) the notification under section 73 may be issued without taking into account the Parliamentary constituencies in the State of Assam; and

(b) the Election Commission may take the steps in relation to elections from the Parliamentary constituencies in the State of Assam separately and in such manner and on such date or dates as it may deem appropriate."

3. ***Repeal and saving:*** *(1)* The Representation of the People (Amendment) Ordinance, 1989, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

10

SESSIONAL REVIEW

NINTH LOK SABHA

First Session

The first session of the Ninth Lok Sabha, which was constituted after the general elections on 2 December 1989, commenced on 18 December 1989. Since in terms of the second proviso to article 94 of the Constitution, the Speaker of the previous House was to vacate his office immediately before the first sitting of the new House, the President by his order dated 12 December 1989, appointed Professor N.G. Ranga, the member with the longest service to the House, as Speaker *pro tem* and he presided over the sittings of the House on 18 and 19 December 1989 till the Speaker was elected*. The Speaker *pro tem* and three other members were appointed by the President to administer oath or affirmation to the members.

On the opening day, *i.e.* 18 December, the Speaker *pro tem* Professor N.G. Ranga, who had made and subscribed oath at 9 a.m. before the President at Rashtrapati Bhavan signed the Roll of Members soon after taking the Chair, in token of having taken his seat in the House. Before the business of the House commenced, in accordance with a long standing practice, the members stood in silence for a short while to mark the solemn occasion of commencement of a new House. A book containing the list of members elected to the Lok Sabha at the general elections of 1989, presented to the Speaker by the Chief Election Commissioner, was then laid by the Secretary-General on the Table of the House. Thereafter, the members made and subscribed oath or affirmation in the following order: Prime Minister, Shri Vishwanath Pratap Singh, Cabinet Ministers, Leader of the Opposition, Ministers of State and then other members, State-wise and constituency-wise, as listed in the list furnished by the Chief Election Commissioner.

The House was adjourned *sine die* on 30 December 1989. A brief resume of important discussions held and other business transacted during the Session is given below:

* The election of the Speaker, Lok Sabha has been included as a separate feature in this issue.

A. Discussions

President's Address: In his address to the members of the two Houses assembled together on 20 December, President Shri R. Venkataraman, in the first instance, extended his felicitations to members of the new Lok Sabha and said that the general elections had demonstrated the maturity of the Indian electorate and their clear verdict in favour of change. He added that the Government, which took charge just a fortnight ago, had commenced in right earnest the task of working out the details of various policy initiatives and thrusts they intended to adopt. The Government pledged to fulfil the mandate given to them by the people and would work to restore the dignity of the nation as well as of the individual.

The President observed that the Government proposed to adopt 'an alternative model of governance and development' based on socialist ideals of economic equality and social justice, federalism and decentralisation, institutional accountability and human rights. The Government would, he assured, take steps to establish an Inter-State Council and to accord constitutional status to the Planning Commission. The Government were committed to a process of national reconciliation and the evolution of consensus to solve many problems facing the nation.

Referring to the Punjab problem, he said that the Government would hold wide-ranging discussions with leaders of cross-section of the people to evolve a national consensus and a beginning had already been made in this direction at the All Party Meeting held on 17 December 1989. Action on the report of the Ranganath Mishra Commission of Enquiry would be expeditiously completed. The President said that problems of the people of Jammu and Kashmir would be gone into in depth, with a view to finding speedy and durable solutions. The Government were committed to the speedy economic development and for the settlement of the issues which concerned the tribal people of the North East Region. The National Integration Council would be re-constituted and would function as a forum for effective initiatives and interaction on issues of national concern, he added.

Regarding the proposed new agenda of work, the President informed the members that the Government would promote, on the basis of national consensus a genuine devolution of powers, functions and resources to Panchayati Raj institutions enabling the fullest participation of the people in the development process, with adequate representation for scheduled castes, scheduled tribes, backward classes and women. The President assured that the Government would introduce a legislation during the session for setting up a Lok Pal, whose jurisdiction would include the Prime Minister also. The Official Secrets Act would be suitably amended so that people had increased access to information. Doordarshan and AIR would be given autonomy to ensure free flow of information and a Bill to

this effect would also be introduced. The 59th Amendment to the Constitution would be repealed. The Postal Bill which sought to interfere with the citizen's right to privacy would be withdrawn. The reservation for scheduled castes and scheduled tribes in the legislatures would be extended by a further period of 10 years. The Government would take appropriate steps to implement the recommendations of the Mandal Commission, he added.

Referring to the economic programmes, the President observed that the Government would give priority to the expansion of productive employment opportunities in the economy. The Government intended to tackle the problem of inflation in all possible ways besides taking steps to reduce wasteful Government expenditure. The Government would also formulate an Action Plan which would aim at correcting the imbalance in the external payments position. Expressing concern of the new Government to tackle the problem of poverty and unemployment, the President said that the Minimum Needs Programme aimed at the poor, would be strengthened and the Government would undertake a time-bound programme to provide all villages with potable drinking water. The Government would take appropriate steps to provide debt relief for marginal farmers, landless agricultural labourers, artisans and weavers on loans below Rs. 10,000. All land reform laws would be included in the Ninth Schedule of the Constitution. Labour participation in management would be made effective to promote an environment of productivity and industrial peace, he added.

With regard to international affairs, the President said that the new Government attached importance to revitalising and strengthening ties with their neighbours in South Asia in order to impart fresh dynamism to the process of regional cooperation within the framework of SAARC. In the pursuit of this objective, talks had already been initiated with the Government of Sri Lanka. The process of further understanding and cooperation between India and China would be continued. The Government would further strengthen the traditional friendship with the Soviet Union, build upon the new trends of a constructive and cooperative relationship with the United States, and strengthen economic cooperation with Janpan and the European Community. The Government's support and solidarity to the inalienable rights of the Palestinian people to achieve a homeland of their own in a peaceful West Asia would always be there. The Government would maintain pressure on the Pretoria regime to commence early negotiations for the dismantlement of apartheid. The emergence of a united democratic and non-racial South Africa would be our objective, the President concluded.

The President's Address was discussed on 27 and 28 December 1989, on a Motion of Thanks moved by Shri Satyapal Malik. Initiating the

discussion on 27 December, Shri Malik observed that though the new Government had been formed only a month before, it had created a new atmosphere in the entire country. Shri Samarendra Kundu who had seconded the motion, said that the last election was a big peaceful movement and a renaissance.

Speaking on 28 December, Shri Nani Bhattacharya supported the motion and called upon the Government to include the right of work in the chapter of Fundamental Rights enshrined in the Constitution. Shri Chitta Basu said that the leftist parties had extended their support to the National Front Government because their programmes, policies and commitment would be adequate to ensure the democratic advancement of the people of the country at the present juncture.

Offering his party's constructive cooperation to the Government, the Leader of Opposition in Lok Sabha, Shri Rajiv Gandhi noted that there was no mention of secessionism in the President's Address. He urged the Government not to make any reduction in defence expenditure and also not to wind up programmes like Jawahar Rozgar Yojana. He also wanted a categorical statement from the Government clarifying their stand on article 370 of the Constitution granting special status to Jammu and Kashmir and on the Anandpur Saheb resolution. On the international issues, Shri Gandhi hoped that the initiatives that India had started in Paris on the North-South dialogue would not be given up. Regarding Sri Lanka, he urged that the Government should ensure the security of the Tamils and withdrawal of IPKF should be linked squarely with the promised devolution.

Supporting the motion, Shri Somnath Chatterjee expressed the hope that the present Government would decide national issues on the basis of national consensus. Shri L.K. Advani praised the present Government for bringing the Lok Pal Bill covering the Prime Minister under the purview of that Bill. Calling for abrogation of article 370, he felt that it was not in the long term interests of the country.

Replying to the discussion in which 25 other members* participated, Prime Minister, Shri Vishwanath Pratap Singh said that his Government had inherited the problems of Punjab, Jammu and Kashmir, Ramjanam-bhoomi-Babri Masjid, Sri Lanka and Nepal, etc. from the previous

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* Other members who took part in the discussion were: Sarvashri P.V. Narasimha Rao, Jaswant Singh, Ajit Kumar Panja, Raj Mangal Pande, P.R. Kumaramangalam, Hukumdeo Narayan Yadav, K.S. Rao, P.G. Narayanan, Ram Sharan Yadav, Bhakta Charan Das, Shopat Singh Maldasar, Vasant Sathe, Mitrasen Yadav, R.N. Rakesh, P. Chidambaram, Abeya Nath, Jagdeep Dhankhar, M.J. Akbar, Sultan Salahuddin Owaisi, Piyare Lal Handoo, G.M. Banatwalla, Rameshwar Prasad, P.C. Thomas, Inderjit and Shrimati Jayawanti Navin Chandra Metha.

Government. He added that the Government proposed to have an all-Party interaction on the electoral reforms. During the next Budget Session, the Government would bring proposals on electoral reforms, judicial reforms, Panchayati Raj Bill, Official Secrets Act and right to know. Right to work, he added, would be included in the Constitution.

Refuting the observations made by Shri Rajiv Gandhi that his Government had handed over a magnificent economy, the Prime Minister said that according to the Economic Advisory Council document, the growth rate was only 3.8 per cent and the Budget deficit was running at a level much higher than the projected Budget estimates. Referring to the strategy of his Government, he said that employment would be the central theme and agricultural production would be increased.

On the Defence Budget, the Prime Minister said that the Government would not compromise with the security of the country. Defence preparedness had to be coupled with the foreign policy initiatives, international security measures and economic measures in the industrial sector. As regards Bofors issue, the Government had decided to debar Bofors from further contracts till they explained their conduct regarding commissions paid in 155 mm. Howitzer guns deal and had expressed their willingness to give the names of recipients.

On his Government's foreign policy, the Prime Minister said that India had expressed strong views on Panama. Regarding Sri Lanka, the Government were for peace and amity among the Tamil groups. On Nepal, initiatives had already been taken and security and national interests would be taken care of, he added.

With regard to Jammu and Kashmir problem, the Prime Minister observed that this was one issue in which there was no consideration on party lines and he was ready to knock at every door, including that of the Leader of Opposition to save the country. There was no question of compromise with secessionist forces on Punjab, he added. About Communalism and riots, the Prime Minister felt that only a secular India could be strong and united. The Government was for emotional integrity of the country, he concluded.

The motion was thereafter adopted.

Motion of Confidence in the Council of Ministers: On 21 December 1989, the Prime Minister, Shri Vishwanath Pratap Singh moved a motion seeking confidence of the House in the Council of Ministers.

Initiating the discussion, Shri A.R. Antulay said that the fact that such a motion had to be tabled for discussion demonstrated that the

confidence the Government should enjoy, at the time of the appointment of the Prime Minister by the President, was lacking or was in doubt.

Supporting the motion, Shri L.K. Advani said that the motion moved by the Prime Minister was in accordance with the directive of the President. By doing so, the President had established a very right precedent. The method adopted by the President would become a convention forever, he felt.

Extending unconditional support to the Government, while Shri Somnath Chatterjee said that the present Government should be given an opportunity to implement their manifesto, Shri Indrajit Gupta observed that not supporting the Government at this stage would leave the country without a Government, because no single party had gained an absolute majority in the House.

Shri R. Muthaiah held that the Government did not represent the entire country, particularly the people of Tamil Nadu.

Supporting the motion, while Shri Nani Bhattacharya said that the National Front Government was pledged to solve all the national problems, Shri Chitta Basu opined that implementation of the policies enunciated by the National Front would ensure democratic advancement of the people.

Shri Ibrahim Sulaiman Sait, however, extended his party's issue-based cooperation to the Government.

Replying to the discussion in which eight other members* participated, the Prime Minister Shri Vishwanath Pratap Singh admitted, at the outset, that his minority Government had limitations. He expressed happiness that the Indian democracy had demonstrated its maturity by moving from personalised politics to issue-based politics. It was the aspiration of the people that India should have real political alternatives. He maintained that it was very uncharitable to have an oblique reference to the BJP and the left parties, as to what price had been fixed. For maintaining unity, any price could be fixed. Political vibrancy of democracy had to be maintained while there had to be unity on national issues, he asserted.

Referring to problems like Punjab, Jammu and Kashmir and Ram Janmabhoomi-Babri Masjid, the Prime Minister pointed out that those were burning problems today because the fires had been stoked much

* Other members who took part in the discussion were: Sarvashri Janeshwar Mishra, Piyare Lal Handoo, Shibu Soren, Vamanrao Mahadik, Gopalrao Mayekar, P.C. Thomas, A.K. Roy and Shrimati Rajinder Kaur Bulara.

earlier. There was a need for reconciliation but there was no question of compromise with the secessionists. As regards the 59th Amendment to the Constitution, the Government would seek its repeal, he added.

The Prime Minister further stated that it would be the fundamental effort of the Government to bring the issue of equity as the focal point of national debate and attention. For this, there was need for democratisation—political, economic and social. He added that the Government would bring decentralisation to the village level, which would keep the federal structure intact and bring power to the people. In the process of economic decentralisation, the concept of involving the labour in participation of management as an ethos—not a union demand—would permeate the country's labour relations. He informed that the Government would bring a Bill for extending reservation for the scheduled castes and scheduled tribes for another ten years. The Government would also come up with a Lok Pal Bill for probity in public life and a Bill for the right to information. The Government, he concluded, would not accept any economic bondage but would protect the economic independence of the country.

The motion was adopted.

Developments in Romania: Making a statement on the subject on 28 December 1989, the Minister of External Affairs, Shri I.K. Gujral stated that Romania had been an unfortunate exception to the trend towards peaceful transformation in eastern Europe. The Ceausescu regime had unleashed a shockingly brutal wave of terror and violence against its own people. He added that mass disturbances and protests at a rally in Bucharest on 22 December compelled former President Ceausescu and his wife to flee from Bucharest. They were, however, caught later and executed after trial by a military tribunal. Shri Gujral further informed the House that the Government of India had strongly condemned the widespread violence and massacre of innocent Romanian citizens including children. He hoped that the National Salvation Front, which had assumed power there, would be able to successfully guide the destinies of the Romanian people to a peaceful and democratic future. He extended India's support and cooperation to them in rebuilding their economy and joining the mainstream of the world economy.

Bofors Issue: Making a statement on the subject on 29 December, the Prime Minister, Shri Vishwanath Pratap Singh said that ever since the news broke out in April 1987 that large payments had been made as commissions by M/s. Bofors in connection with the 155 mm. gun contract, the Government of India immediately came out with the statement that the news item was false, baseless and mischievous. A few days later, the

then Minister of Defence had stated in Parliament that the Government did not approve of the appointment of Indian agents acting for foreign suppliers and that the Defence Secretary had told such companies bidding for the contract that the Government of India would disqualify a firm, in case it came to their notice that an agent had been appointed by a foreign firm.

The Prime Minister observed that the report of the Swedish National Audit Bureau which was made available to the Government in June 1987 had clearly established that very large payments had been made by Bofors to various persons in connection with the Indian contract. The then Government immediately set up a Joint Parliamentary Committee (JPC) to enquire into the whole matter. The then Minister of State in the Ministry of Defence Shri Arun Singh, recorded a note on 10 June 1987, stating that Swedish National Audit Bureau had confirmed about the payments of something between 175-250 million Swedish kroners as "winding up" charges to "others" and in his reply in Rajya Sabha he had stated that the Government of India's policy was that no payments were to be made to anyone as commission in relation to the contract. He added that Shri Arun Singh had further stated in his note that he had asked officers of his Department to draft two letters, one to Bofors and another to Swedish Government. He had also recommended that the letters should be delivered through the Indian Ambassador in Sweden asking him to inform the Swedish Government and the company that unless they gave the requisite informations, the Government of India would have no alternative but to cancel the contract. Shri Arun Singh had further said that he was fully aware about the negative impact of the cancellation on Defence preparedness. The note was put up to the then Minister of Defence, Shri K.C. Pant who signed the note of endorsement on 11 June 1987, and put it up to the former Prime Minister. On this, the former Prime Minister had recorded a minute on 15 June 1987, maintaining that the Swedish Audit Report had upheld Government of India's position and did not contradict it. The former Prime Minister had also stated therein reasons for not cancelling the contract. He regretted that this was received in the Ministry of Defence on 21 July 1987, while Shri Arun Singh had demitted office a few days earlier. In the meantime, Ministry of Defence had written a strong letter on 16 June 1987 to M/s. Bofors charging them with the violation of the contract and demanding detailed information from them with regard to those payments.

The Prime Minister further stated that towards the end of June 1987, the Ministry also sought the opinion of Attorney General of India, who in his reply received on 4 July 1987, expressed the view that if AB Bofors had engaged an Indian agent, it was contrary to the condition precedent to the

contract and the Government of India had an option either to treat it as a breach of contract and sue them for damages or to keep alive the contract and sue them for breach of warranty. The Attorney General had also expressed that Bofors had no right to claim that the Company had to maintain utmost secrecy, particularly within defence area. He had also noted that the Government might have to make alternative arrangements for the purchase of guns, if required. The former Chief of Army staff, General Sunderji, had also recommended, in his two notes in June-July 1987, also that in the interest of vindicating national honour, India might apply full pressure on Bofors to part with the information needed for legal action against the culprits and accept the consequent risk of cancellation of the contract, he asserted.

Shri Vishwanath Pratap Singh further informed the House that the first and the only significant disclosure was made by Bofors in September 1987 that an amount of 319 million kroners, corresponding to Rs. 64 crores, had been paid by Bofors to three companies, namely, Svenska, AE Services and Picto-Moresco-Moineo. While giving details, Bofors had admitted that in the case of Moresco, the payments were made into code-named account of Lotus. The officers and Ministers concerned at that time were all of the view that action should be taken against Bofors. But the enquiries conducted so far had failed to ensure public confidence, he added.

The Prime Minister observed that the decision of the present Government to debar Bofors from future contracts was a natural consequence of the facts established and views available in the records of the Defence Ministry. He reiterated his Government's resolve to enforce the law, recover the amounts paid and ascertain the identity of recipients. The Government had instructed the investigative agencies to pursue their inquiries and investigations as per law. At the Government level, the matter would be taken up with the Swiss authorities in terms of the Memorandum of Understanding between India and Switzerland. He concluded with an assurance that the matter would be pursued to its logical conclusion keeping the Parliament and the people informed of the progress.

Communal situation: Initiating a discussion on the subject on 29 December, Professor Saif-ud-din Soz said that the communal riots that took place in the recent past at Bhagalpur, Monghyr, Sitamarhi, Sasaram, Badaun, Dhanbad, Indore and at other places, were planned with a design.

Participating in the discussion, Shri Ibrahim Sulaiman Sait called

upon the Union Government to own the responsibility of protecting the minorities of the country.

Replying to the discussion, in which 13 other members* participated, the Minister of Home Affairs, Shri Mufti Mohamad Sayeed said that it was a challenge for the Government to face disruptive forces as they posed the greatest threat to the country. He added that a meeting of the National Integration Council would be convened in the first week of February to thrash out the issue. He expressed the hope that every party would cooperate with the Government in their endeavour to strengthen the country and create an atomosphere congenial for communal amity.

B. Legislative Business

The Constitution (Sixty-Second Amendment) Bill, 1989: On 22 December 1989, moving that the Bill, as passed by Rajya Sabha, be taken into consideration, the Minister of Labour and Welfare, Shri Ram Vilas Paswan said that the Bill proposed to continue reservation for a further period of ten years beyond 26 January 1990, for the members of scheduled castes and schedules tribes in the legislatures and nomination for members of the Anglo-Indian community. Condemning the anti-reservation agitation, Shri Paswan added that such agitations created a feeling of frustration in the weaker sections of the society which might be very dangerous for the country.

Winding up the discussion on 26 December, in which 20 members** participated, Shri Paswan said that on the death anniversary of Baba Ambedkar on 6 December, the Prime Minister had declared that subjects like land reforms and land disputes would be included in the Ninth Schedule of the Constitution to see that scheduled castes and scheduled tribes did not face any difficulty in the matter. The question of reservation of posts in Government service was dealt with under articles 15(4) and 16(4) of the Constitution and there was no time limit provided for it.

The Bill was passed by the requisite majority in accordance with the provisions of article 368 of the Constitution.

The Constitution (Sixty-Third Amendment) Bill, 1989: Moving for leave to introduce the Bill on 29 December 1989, the Minister of Home Affairs, Shri

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* Other members who took part in the discussion were: Sarvashri C.K. Jaffer Sharief, Brij Bhushan Tiwari, Arif Beg, Uttam Rathod, Saifuddin Chowdhary, Laloo Prasad, Surya Narayan Singh, C. Srinivasan, M.J. Akbar, Janardan Yadav, Ashok Anandrao Deshmukh, Sontosh Mohan Dev and Hukumdeo Narayan Yadav.

** Other members who took part in the discussion were: Sarvashri Vasant Sathe, K.S. Chavda, Shanta Kumar, A. Ashokaraj, Peter. G. Marbaniang, Kailash Meghwal, Piyus Tiraky, R.L.P. Verma, Ram Dhan, Mahabir Prasad, Bhogendra Jha, S. Sema, Piyare Lal Handoo, Amar Roy-Pradhan, P.C. Thomas, Vamanrao Mahadik, A.K. Roy, Nandu Thapa, Mohd. Hassan Commander and Shrimati Subhashini Ali.

Mufti Mohamad Sayeed said that the Constitution (Fifty-Ninth Amendment) Act, 1988 which had made a provision enabling emergency to be declared in the State of Punjab, had been the subject of criticism from various quarters since they were stringent in character, particularly because of power to deprive a citizen of his right to life and liberty. The Government, therefore, considered that there was no need to retain such drastic powers, he added.

Motion for leave to introduce the Bill was adopted and the Bill was introduced. Later, the Minister moved that the Bill to amend the Constitution of India, be taken into consideration.

Welcoming the Bill, Shri Indrajit Gupta suggested that isolation of such elements who were refusing to accept any kind of solution within the framework of the Constitution should be the main strategy. Shri Chitta Basu held that the Punjab problem could be solved through a process of dialogue and urged the Government to take fresh initiatives.

Winding up the discussion, in which 10 other members* participated, Shri Mufti Mohamad Sayeed said that the Government wanted to deal with the Punjab problem with a determination since the blood being shed in the State was of Indians, whether Hindus or Sikhs. Healing touch to the people of Punjab did not mean that the Government would not face the terrorists. It was necessary to be firm administratively and to have political dialogue and mobilise all the political parties. He added that the Prime Minister had visited Punjab and the people there saw a ray of hope in his initiatives. A dialogue with the people was necessary because ultimately they would have to be taken into confidence. The Prime Minister had decided to call a public meeting of all the parties in Ludhiana in January. The Government of India also intended to set up special courts for the trial of culprits of 1984 riots, as no legal action had so far been taken in this regard.

The Bill, as amended, was passed by the requisite majority in accordance with the provisions of article 368 of the Constitution.

*The Representation of the People (Amendment) Bill,1989:*** On 26 December 1989, moving that the Bill to replace the Representation of the People (Amendment) Ordinance, 1989 be taken into consideration, the Minister of Law and Justice, Shri Dinesh Goswami informed the House that the Election Commission of India had recommended the issue of a notification by the President on 23 October 1989, calling upon all

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* Other members who took part in the discussion were: Sarvashri Shivraj V. Patil, Roopchand Pal, P.R. Kumaramangalam, Jaswant Singh, Brij Bhushan Tiwari, Piyus Tiraky, Yuvraj, Piyare Lal Handoo, Jagdeep Dhankhar and Justice Gumanmal Lodha.

** The Bill was introduced on 20 December by the Minister of Steel and Mines and Minister of Law and Justice, Shri Dinesh Goswami.

parliamentary constituencies to elect members for constituting the Ninth Lok Sabha. The Election Commission had also recommended the issue of a notification separately, in respect of the parliamentary constituencies in Assam where the process of revision of electoral rolls had not been completed by then. As the matter was urgent and the Parliament was not in Session, the Ordinance was promulgated by the President on 21 October 1989. The Minister observed that the process of revision of electoral rolls in Assam had since been completed. There was also a provision in the Representation of the People Act, 1950 for inclusion, even after the final publication of the rolls, the name of a person who was entitled to be included in the electoral roll, but was not so included. The Election Commission had also informed that with the final publication of the rolls, it would be possible to hold elections for the parliamentary constituencies in Assam in February 1990.

Earlier, moving a Statutory Resolution regarding disapproval of the People (Amendment) Ordinance, 1989, Shri Saif-ud-Din Soz asked for a guarantee that all eligible voters, particularly from Muslim community had been included in the revised list.

Participating in the discussion, Shri Chitta Basu urged the Law Minister and the Home Minister to provide some mechanism by which genuine Indian citizens were not debarred from exercising their electoral right.

Winding up the discussion, in which eight other members* participated, Shri Dinesh Goswami said that the Election Commission, after publishing a final voters' list, had said that there were still provisions under the Representation of the People Act for correction of voters' list. As regards the power to see whether a person was eligible or not on the ground of being an Indian citizen, it was not available to the Election Commission. The Election Commission could only make claims with the Tribunals that they were not the Indian citizens in terms of Assam Accord.

Regarding elections in Assam, the Minister assured the House that Government of India would provide all cooperation to Election Commission whenever it decided to hold elections there.

The Statutory Resolution was negatived and the Bill was passed.

C. The Question Hour

During the Session, a total of 912 notices of Questions (688 Starred, 186 Unstarred and 38 Short Notices) were received. Out of these 100 Questions were admitted as Starred, 401 as Unstarred and one as Short Notice Question. One Starred and one Unstarred Question were deleted

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* The members who took part in the discussion were: Sarvashri Sontosh Mohan Dev, Basudev Acharia, Ramashray Prasad Singh, Mahendra Singh Pal, Harish Rawat, G.M. Banatwalla, Mandhata Singh and Ajit Kumar Panja.

from the lists subsequently. Two Starred and three Unstarred Questions were transferred from one Ministry to another.

Daily Average of Questions: Each Starred List contained 20 Questions except that of 27 December 1989 which contained 22 Questions. The average number of Starred Questions answered orally on the floor of the House during the Session was 4.4. The maximum number of Starred Questions answered on a day was six on 29 December and the minimum number was three on 28 December.

The average number of Questions in the Unstarred List came to 80 against the prescribed limit of 230 Questions, the minimum being 35 on 22 December and maximum being 111 on 29 December.

Half-an-Hour Discussions: In all, three notices of Half-an-Hour Discussion were received during the Session. Out of these two notices were disallowed and one lapsed as no date was available for discussion when the Member gave notice.

D. Obituary References

During the Session, the House made obituary references to the passing away of Sarvashri Subodh Sen, Shiva Chandra Jha, Lokenath Mishra, Gokul Saikia, Chandra Pratap Narain Singh, K. Ramakrishna Reddy and Shrimati Savitri Shyam (all ex-members). Members stood in silence for a short while, as a mark of respect to the deceased.

RAJYA SABHA

Hundred and Fifty-Second Session*

The Rajya Sabha commenced its Hundred and Fifty-Second Session on 20 December 1989 and adjourned *sine die* on 29 December 1989. A resume of some of the important discussions held and other buisness transacted during the Session is given below:

A. Discussions

U.S. intervention in Panama: Making a statement on 21 December 1989, the Minister of External Affairs, Shri I.K. Gujral said that at around 1130 hours (IST) on 20 December, the US troops commenced military action in Panama. According to a US Government spokesman, President Bush had ordered US military forces to enter into Panama in order to "protect American lives, restore the democratic process, preserve the integrity of the Panama Canal treaties and apprehend General Manuel Antonio Noriega", the Minister added.

Deploring US intervention in Panama, the Minister affirmed that India

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* Contributed by the Research and Library Section, Rajya Sabha Secretariat.

was fully committed to uphold the principle of non-intervention in the internal affairs of States and non-use of force for settlement of disputes. India had always maintained that negotiation was the best way for arriving at peaceful settlement of disputes, which applied equally to the situation in Panama and problems in Central America. India's position was also consistent with the United Nations Charter to which all its members had subscribed. The Minister hoped for quick withdrawal of American forces and establishment of democratic process in Panama.

The Minister informed the House that in Panama there were about 2,000 people of Indian origin. The internal situation in Panama was confusing and the Government were in touch with Indian Ambassador there. According to the latest reports received from him, fighting was still going on in the streets near Indian Chancery, but all members of the Mission were safe and no report of any loss of life had been received so far as Indian nationals in Panama were concerned.

Replying to the points raised by members, the Minister observed that the sentiments of the House in totality were the sentiments of India. He reiterated that the Government of India were committed to non-alignment which formed the anchorsheet of India's foreign policy. The Minister expressed the hope that the Security Council would meet soon and all the non-aligned countries would put their heads together and take a joint stand on the US action in Panama.

Situation in Jammu and Kashmir: Calling the attention of the Minister of Home Affairs on 26 December 1989, Shri Murlidhar Chandrakant Bhandare referred to the current situation in Jammu and Kashmir in the context of kidnapping and subsequent release of Dr. Rubaiya Sayeed, daughter of the Union Minister of Home Affairs, Shri Mufti Mohamad Sayeed.

Replying to the calling attention, the Minister of Home Affairs, said that the State of Jammu and Kashmir had been in turmoil for the last two years. Immediately after the last Assembly elections, the situation had started deteriorating and was aggravated by growing fundamentalism, serious economic situation and increasing unemployment among the youth. He observed that the growing public resentment found expression in a series of violent incidents during 1988 and 1989. Various agitations and *hartals* also took place during these two years. Pointing towards the gravity of the situation, the Minister informed the House that such incidents culminated in the kidnapping of Dr. Rubaiya Sayeed on 8 December 1989 and her forcible confinement until her release on 13 December 1989 in exchange of five extremists. All this indicated the critical nature of the prevailing situation. The present Government at the Union were fully conscious of the magnitude of the problem, since the

number of violent incidents went up from 351 in 1988 to 1600 in 1989 (till 7 December), explosions from 17 to 386, armed attacks from 7 to 102, attacks against police from 135 to 366, attacks on Union and State Government establishments from none in 1988 to 172 and the number of killings from 17 to 49.

The Minister told the House that the incident of Dr. Rubaiya's kidnapping and demands put forth by the militants were discussed at an emergency meeting of the State Cabinet on 8 December and a decision was taken to hold negotiations through mediators to secure her release. This task of negotiation was entrusted by the State Government to a team headed by the State's Chief Secretary. The Chief Minister of Jammu and Kashmir, who had been abroad for treatment, also returned to Srinagar on 10 December. He took stock of the situation and closely monitored the pace of negotiations for securing release of Dr. Rubaiya in exchange of militants. The valley witnessed serious disturbances following the release of five militants which led the administration to impose curfew on 14 December in Sopore and Shopian. The curfew had to be extended to Srinagar, Baramulla and Anantnag on 15 December, the Minister added.

Referring to the measures taken by the Government, the Minister said that the Union Government were alive to the situation prevailing in the State and had kept a close watch. A Cabinet Sub-Committee was constituted to go into all aspects of the problem in the State. Discussions had also been held with the State's Chief Minister. The State Government had also initiated measures on administrative and political plans for tackling the situation. The Union Government had been extending all assistance as and when being requested by the State Government. He added that the Union Government were totally committed to maintaining territorial integrity and unity of the country. He, however, flayed the erstwhile Union and the present State Government for lack of proper and adequate response as the situation in Kashmir was allowed to worsen during the last two years.

In conclusion, the Minister observed that the workers of the National Conference and the Congress had always fought for the unity and integrity of the country. These two forces and other pro-Indian forces would have to be activised in the State. Some administrative steps had been taken, but political support was necessary to tackle the problem. He requested all the parties including the Congress Party to support the Government in their endeavours, because it was a national issue.

Motion of Thanks on the President's Address: Moving the Motion of Thanks on the President's Address on 26 December 1989, Shri Yashwant Sinha said that the people had given a clear verdict in favour of change,

which was indicative of the fact that no Government, whatsoever its majority in Parliament might be, could take people for a ride.

The member flayed the erstwhile Government for its failure on several major fronts and praised the new Government for taking initiatives in the right direction. The new Government wished to establish an alternative model of governance and of development, he added.

Analysing the negative effects of the policies of the previous Government, the member observed that the most disturbing thing during the last five years was the destruction of democratic institutions in the country. He felt that the long-term damage done to the economic system of the country also would take years of hard and painstaking work to get corrected.

Shri Sinha observed that the Election Commission, which had the responsibility of conducting free and fair polls in the country, was expanded just a few days before the elections. However, no specific responsibilities were assigned to the various Election Commissioners who were then inducted.

The member added that those who were guilty of all their acts of commission would be brought to book and howsoever high and mighty they might be, the law of the land would be allowed to take its course. He assured that the provision in the Commissions of Inquiry Act seeking to withhold information from the Houses of Parliament would be removed from the Statute book and that the Government would bring forth a legislation with a view to include the right to work as a fundamental right in the Constitution. But, right to work, he asserted, would not just remain a slogan, the whole economic policy would have to be given a new thrust.

Replying to the debate* on 29 December 1989, Prime Minister, Shri Vishwanath Pratap Singh, said that the mandate of the people got fully reflected in the process of formation of the new Government, which was formed by a wide spectrum of cooperation and support. Emphasising that the support to the Government was based on issues, he observed that a very healthy tradition was developing in the country. From personalised

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* Other members who took part in the discussion were: Sarvashri B. Satyanarayan Reddy, N.K.P. Salve, Pawan Kumar Bansal, Samar Mukherjee, Darbara Singh, V. Gopalasamy, S.B. Chavan, Kailash Pati Mishra, Arif Mohd. Khan, Hansraj Bhardwaj, Anand Sharma, Chaturanan Mishra, A.G. Kulkarni, Madan Bhatia, Anand Prakash Gautam, Deba Prasad Ray, G. Swaminathan, P.N. Sukul, Rameshwar Thakur, K.V. Thangkabalu, Jagesh Desai, Dipen Ghosh, Syed Sibtey Razi, Maulana Asad Madni, Mirza Irshadbaig, Shabbir Ahmad Salaria, Dr. Rudra Pratap Singh, Dr. Subramanian Swamy, Professor Sourendra Bhattacharjee, Professor C. Lakshmanna, Sardar Jagjit Singh Aurora, Shrimati Margaret Alva and Shrimati Bijoya Chakravorty.

politics to issue-based politics was a process of maturity of political democracy, he added.

The Prime Minister asserted that the Government had not only spelt out their goals but had also gone into action. Regarding autonomy to the AIR and Doordarshan, a Bill was there for being passed by both the Houses. That was the first step in the process of right to information.

Referring to some other measures taken by the new Government, the Prime Minister referred to the introduction of the Lokpal Bill. After the appointment of Lokpal even an ordinary citizen of India could approach the Lokpal and make a complaint against even the Prime Minister. Various political parties, he observed, had rightly insisted for repeal of the Consitution (Fifty-Ninth Amendment) Bill, which sought to take away right to life of the individuals. The Government had, therefore, taken initiative to repeal the same.

Regarding participation of workers in management, the Prime Minister requested the members to evolve a consensus on labour participation, not merely as a union demand, but as an ethos in industrial relations. The creative and productive forces of the society should not only be given benefits, but they should also be given a share in the management and in shaping the destiny of the country, he said.

The Prime Minister also underlined the need to review the Anti-Defection Law and electoral laws. For him electoral reform was a national issue. The law already existed that religious feelings should not be exploited for election purposes. He felt that the influence of money and muscle power could be curbed by changing the electoral procedures and for that a consensus was needed. The Prime Minister stressed the need for land reforms and incorporating them in the ninth schedule of the Constitution. He also felt that there was an urgent need for judicial reforms. He assured the House that the National Integration Council would be reconstituted soon.

The Prime Minister apprehended that the rising trend in India's external debt and debt-servicing constituted a serious cause for concern. Such situation needed a national effort if the country did not have to get into any economic trap or debt trap or any foreign influence. He told the House that the Government planned to attack poverty by generating more and more employment opportunities in the rural area. In the rural sector, wherever the population was high, incidence of poverty was also high, he observed. Agricultural growth in those areas would, therefore, provide rapid employment which would, in turn, increase purchasing power of the working and the deprived classes. If the rural sector got full purchasing power, the industries would get reorientation to manufacture wage goods and items of

mass consumption, he argued. He admitted that there had been growth in industries, but it had failed to generate employment in the industrial sector. In the organised sector also, employment had been stagnant. To involve youth in the dynamics of society, the Prime Minister proposed to call youth leaders of the whole country to feel the pulse of the younger generation.

The Prime Minister noted that the Government had a plan to politically involve women in the management of the country through panchayats and local bodies. The Government also planned to give women a share in job opportunities in such departments which were suitable for them.

Referring to the implementation of the recommendations of Mandal Commission Report on Scheduled Castes and Scheduled Tribes, he said that the Government's endeavour was to give the highest priority to emotional integration of the country and to ensure that it was maintained and strengthened and also that minorities had their share in the economic development and the fruits thereof.

Speaking on the international situation, the Prime Minister clarified that India's foreign policy stood for non-alignment and solidarity with developing countries, opposition to apartheid, commitment to the Palestinian cause and promotion of peace, disarmament and progress. He said that the Government fully endorsed the statement issued by the non-aligned nations condemning the US invasion on Panama. Referring to India's relations with Sri Lanka, Nepal, China and Pakistan, the Prime Minister assured that the initiatives compatible with national interest would be taken and problems solved through dialogue and process of mutual confidence-building.

Finally, the Prime Minister took up the Punjab problem and said that it was wrong to think that the solution could come only by police action. He observed that the Punjab problem would not be solved unless the Government provided justice to the victims of November 1984 anti-Sikh riots. Decision to set up Special Courts and repeal of 59th Amendment were two steps in that direction, he said.

The motion, as amended,* was adopted on the same day.

Commission paid by AB Bofors in 155 mm. Howitzer Gun deal: Raising a half-an-hour discussion on the subject on 29 December 1989, Shri Satya Prakash Malaviya said that the Indian Press had carried a report on 17 April 1987, about a Swedish Radio broadcast in which it was said that the arms firm Bofors had won Sweden's biggest export order by paying bribes to senior Indian politicians and key defence figures through secret Swiss bank accounts. Bofors declined to comment

* 104 amendments were moved in the House, out of which only six were adopted.

on Radio allegations that it was planning to pay a total of 100 million kroners to members of the then ruling party in India.

Shri Malaviya further observed that intervening in the debate on the issue in Lok Sabha on 6 August 1987, the then Prime Minister had said that both inside and outside the House many allegations had been made and unfounded suspicion had been raised to tarnish the image of the country and its leadership. He had categorically declared that neither he nor any member of his family had received any consideration in those transactions. He went on to say that the Congress and its Government were as interested as anyone else in finding out the truth. The member regretted that even after the statement of the then Prime Minister, attempts were made to suppress the truth about the illegal payments.

The member recalled that the former Union Finance Minister Shri N.D. Tiwari, had said in the other House that the Government had decided to enter into a treaty for mutual assistance in criminal matters with Swiss authorities and pending conclusion of such treaty or agreement, entering into a Memorandum of Understanding with them for assistance in specific cases of Indians having clandestine accounts in Swiss banks. The member wondered that in spite of the statements made by the then Prime Minister and the then Finance Minister, it was not clear as to who were the persons who received kickbacks in the Bofors deal. The member urged the Government to see that those who had betrayed the country by taking illegal payments in the Bofors deal were prosecuted without any delay.

Replying to the discussion, the Prime Minister Shri Vishwanath Pratap Singh said that the Government had taken immediate action by debarring Bofors from future contracts. He further declared that the Government would review both the existing contracts one for the supply of readymade Bofors guns and the other for licensed manufacture of those guns in the country. So far as the supply of guns was concerned, most of the part of the contract had already been fulfilled and most of the payments already made, he added.

The Prime Minister said that the Joint Parliamentary Committee (JPC) was a body of the Parliament and it was projected that all information would flow to JPC. He questioned that why did the former Prime Minister's noting on the subject, which was laid on the Table of the House, not go to the JPC. He further asked as to why did not the 4 July opinion of the Attorney-General go to the JPC and if that was not derogatory. He further questioned as to why the note of the Chief of the Army Staff did not go to the JPC and was that not the prerogative of the highest House. The Prime

Minister informed the House that he had records to show that the defence files did go to the Attorney-General. Then there was the noting of the Defence Secretary saying that there were several meetings with the Attorney-General on that subject and he had got a copy of the advice from the Attorney-General on 4 July. That means he had got the information. The Prime Minister said that he had signed the files as Finance Minister and those files were subject to satisfying everybody on all contractual, commercial and technical aspects. But the files never returned to him. So far as the movement of the file was concerned, the former Prime Minister signed the file on 15 June and that file went back to the Defence Ministry on 21 July at least three to five weeks later and three days after the then Minister of State in the Ministry of Defence had resigned. The Army Chief had, for the first time, given his opinion on 13 June. Again he gave opinion on 15 July, when asked to do so.

The Prime Minister reiterated that the ultimate thing was finding out names of the recipients and the amount of money received by them. The Swedish Audit Bureau in their report had mentioned the amount, but they did not disclose any names. However, the names of companies, *i.e.* Svensca, Moresco Moineau Pitco and A.E. Services were mentioned therein, the Prime Minister concluded.

B. Legislative Business

*The Constitution (Sixty-Second Amendment) Bill, 1989**: Moving the motion for consideration of the Bill on 21 December 1989, the Minister of Labour and Welfare, Shri Ram Vilas Paswan said that the Bill *inter alia* proposed to continue reservation for a further period of ten years beyond 26 January 1990, for the members of Schedueld Castes and Scheduled Tribes in the legislatures. He added that the Bill was meant for those sections of society which had been lagging behind economically and socially for thousands of years. It was the duty of the society and the Government to bring them into the mainstream of the country. He expressed his concern over the anti-reservation stir which was going on in some parts of the country and suggested that such stir should be condemned by everyone. The Minister said that the backward communities did not make the desired progress socially, educationally and economically during the last forty years and that was why the Bill was brought forward. The motion for consideration of the Bill and the clauses etc., were adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting, and the Bill was passed on the same day.

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* The Bill was introduced in the Rajya Sabha on 20 December 1989.

*The Constitution (Sixty-Third Amendment) Bill, 1989**: On 29 December 1989, moving the motion for consideration of the Bill which sought to repeal the Constitution (Fifty-Ninth Amendment) Act, 1988, the Minister of Home Affairs, Shri Mufti Mohammad Sayeed said that the Act should come into force with immediate effect.

The motion for consideration of the Bill and the clauses etc., were adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting, and the Bill was passed on the same day.

*The Representation of the People (Amendment) Bill, 1989***: Moving the motion for consideration of the Bill on 28 December 1989, the Minister of Law and Justice, Shri Dinesh Goswami, informed that the Election Commission of India had recommended the issue of a notification by the President on 23 October 1989, calling upon all parliamentary constituencies to elect members for constituting the Ninth Lok Sabha. The Election Commission had also recommended the issue of a notification separately, in respect of the parliamentary constituencies in Assam where the process of revision of electoral rolls had not been completed by then. As the matter was urgent and the Parliament was not in session, the Representation of the People (Amendment) Ordinance, 1989, was promulgated by the President on 21 October 1989. The Minister observed that the process of revision of electoral rolls in Assam had since been completed. There was also a provision in the Representation of the People Act, 1950 for inclusion, even after the final publication of the rolls, the name of a person who was entitled to be included in the electoral roll, but was not so included. The Election Commission had also informed that with the final publication of the rolls, it would be possible to hold elections for the parliamentary constituencies in Assam in February 1990.

The motion for consideration of the Bill and the clauses etc., were adopted and the Bill was passed on the same day.

*The Criminal Law Amendment (Amending) Bill, 1989****: Moving the motion for consideration of the Bill on 22 December 1989, the Minister of Home Affairs Shri Mufti Mohamed Sayeed said that the publication of correct maps of the country was a matter of national concern as depiction of incorrect boundaries of the country amounted to indirectly questioning the fornticrs and the territorial integrity of the country. The Minister asserted that any tendency/action on the part of anybody to question the

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* The Bill, as passed by the Lok Sabha, was introduced in the Rajya Sabha on 29 December 1989.

** The Bill, as passed by Lok Sabha, was laid on the Table of Rajya Sabha on 27 December 1989.

*** The Bill introduced in Rajya Sabha on 1 August 1989.

territorial integrity and frontiers of the country had to be curbed and stringent action was required to be taken to discourage such activities. He added that the Government were keen to ensure that only correct maps of the country were published. In spite of several measures taken in the past, instances of incorrect depiction of external boundaries of India by private agencies/newspapers continued to come to notice. It was not found feasible to take action against them under the existing law. The Government had, therefore, brought forward the Bill to amend the existing law with a view to take stringent action against them.

The motion for consideration of the Bill and the clauses etc. were adopted and the Bill was passed on the same day.

C. The Question Hour

During the Session, 1,097 notices of Questions (1,005 Starred and 92 Unstarred) were received. Out of these, 99 Starred Questions and 567 Unstarred Questions were admitted. No Short Notice Question was received. After the lists of Questions were printed, two Starred and 11 Unstarred Questions were transferred from one Ministry to the other. One Starred and one Unstarred Questions were cancelled.

Daily Average of Questions: Each of the lists of Starred Questions contained 18 to 22 Questions. On an average, 4.6 Questions were orally answered per sitting. The maximum number of Questions orally answered were six on 27 December 1989 and the minimum number of Questions orally answered was four on 26, 28 and 29 December 1989.

The minimum number of Question admitted in Unstarred lists was 46 on 22 December and their maximum number was 142 on 29 December. Their average came to 113.4.

Half-an-Hour Discussions: Only four notices of Half-an-Hour discussion were received, out of which one was admitted and two were clubbed with it.

D. Obituary References

During the Session, the Chairman made references to the passing away of Sarvashri M. Sherkhan, Shyam Lal Gupta, Shiva Chandra Jha, Abhimanyu Rath and Mohan Singh, all ex-members. Members stood in silence for a short while as a mark of respect to the deceased.

STATE LEGISLATURES

ANDHRA PRADESH LEGISLATIVE ASSEMBLY*

The Ninth Andhra Pradesh Legislative Assembly, commenced its First Session on 3 January 1990 and was adjourned *sine die* on 23 January 1990.

Election of Speaker: The election for the office of the Speaker was held on 4 January 1990 and Shri P. Ramachandra Reddy was unanimously elected as the Speaker.

Governor's Address: The Governor addressed the members on 4 January 1990. The Address was discussed by the House for three days on a Motion of Thanks moved by Shri A. Dharma Rao and seconded by Dr. M.V. Mysoora Reddy. The Chief Minister replied to the debate on 9 January 1990 and the Motion was adopted.

Ratification of Constitutional Amendment: On 22 January 1990, the House unanimously adopted a Government Resolution ratifying the Constitution (Sixty-second Amendment) Bill, 1989, moved by the Chief Minister.

GUJARAT LEGISLATIVE ASSEMBLY**

The Seventh Gujarat Legislative Assembly which commenced its Tenth Session on 18 September 1989, was adjourned *sine die* on 29 September 1989.

Financial business: The statement of Supplementary Demands for Grants for the year 1989-90 amounting to Rs. 142.37 crores was presented before the House on 19 September 1989. The demands were discussed on 25 and 26 September 1989 and all of them were passed by the House at the end of the discussion. The Supplementary Appropriation Bill was also passed on 28 September 1989.

Obituary references: On the first day of the Session, the House made obituary reference to late Shri Babubhai Sopariwala, Minister of Law, Judiciary and Tourism and five other ex-members of the Gujarat Legislative Assembly and two former members of the erstwhile Bombay Legislative Assembly.

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* Material contributed by Andhra Pradesh Legislative Assembly.

** Material contributed by Gujarat Legislative Assembly.

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY*

The Sixth Legislative Assembly of Himachal Pradesh commenced its winter session on 11 December 1989 and was adjourned *sine die* on 15 December 1989.

Financial business: On 14 December 1989, four Government Bills including an Appropriation Bill with regard to Supplementary Demands for Grants amounting to Rs. 25.03 crores were considered and passed.

Obituary references: On the first day, obituary references were made to the passing away of Shri Devi Singh, a sitting legislator, Sarvashri Ram Dayal, Rattan Singh and Bhagat Ram, all former members of the House and Shri Roshan Lal, a former member of the Rajya Sabha from Himachal Pradesh.

KARNATAKA LEGISLATIVE COUNCIL**

The Karnataka Legislative Council commenced its Sixty First Session on 18 December 1989 and was adjourned on 22 December 1989. The Council met again on 22 January and was adjourned *sine die* on 23 January 1990.

Governor's Address: The Governor of Karnataka addressed both the Houses of Legislature on 18 December 1989. The discussion on Motion of Thanks was held for four days and was adopted on 22 December 1989.

Ratification of Amendments: On 22 January 1990, an official Resolution ratifying the Constitution (Sixty-Second Amendment) Bill, 1989, was discussed and adopted by the House unanimously.

MADHYA PRADESH VIDHAN SABHA***

The Eighth Madhya Pradesh Vidhan Sabha commenced its Thirteenth Session on 22 January 1990 and was adjourned *sine die* on 24 January 1990.

Governor's Address: Shrimati Sarla Grewal, Governor of Madhya Pradesh, addressed the House on the opening day of the Session. The Motion of Thanks on the Governor's Address was moved by Dr. Lalta Prasad Khare and seconded by Shrimati Jamuna Devi MLA. The motion was taken up for discussion on the next day, *i.e.* 23 January and was adopted by the House.

Obituary references: On 23 January 1990, the House made obituary reference to the passing away of Sarvashri Dumar, Mathura Prasad Dubey and Brijraj Singh Tiwari, all former members of the Assembly.

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* Material contributed by Himachal Pradesh Vidhan Sabha Secretariat.

** Material contributed by Karnataka Legislative Council.

*** Material contributed by Madhya Pradesh Vidhan Sabha Secretariat.

MIZORAM LEGISLATIVE ASSEMBLY*

The Mizoram Legislative Assembly commenced its Fourth Session on 22 January 1990 and was adjourned *sine die* on 23 January 1990.

Governor's Address: On the opening day of the Session, Governor, Capt. Williamson A Sangma addressed the House. The discussion on the Motion of Thanks on the Governor's Address took place on 23 January. The motion was adopted unanimously.

Ratification of Amendment: On the opening day, Dr. H. Thansanga, Minister of Parliamentary Affairs, moved a Resolution for ratification of the Constitution (Sixty-Second Amendment) Bill, 1989, which was adopted by the House.

Obituary references: On 23 January 1990, the House made obituary references to the passing away of Shri Thangridema former Speaker, Mizoram Legislative Assembly and Shri Sangliana, former Member of Parliament from the State.

SIKKIM LEGISLATIVE ASSEMBLY**

The first Session of the Fourth Legislative Assembly of Sikkim constituted after the general elections held on 26 November, 1989, commenced on 15 December 1989 and was adjourned *sine die* on 16 December 1989.

Election of Speaker and Deputy Speaker: Being the first session of the House, Governor, Shri S.K. Bhatnagar, appointed Shri Dorjee Tshering Bhutia as the Speaker *pro tem*. On the first day of the Session, Shri Dorjee Tshering Bhutia was unanimously elected as the Speaker. On the same day, Shri B.S. Pant was unanimously elected as the Deputy Speaker.

Governor's Address: On 15 December, in the afternoon Session, Governor Shri S.K. Bhatnagar addressed the House and a copy of the Address was laid on the Table of the House. The Leader of the House (the Chief Minister), Shri N.B. Bhandari, moved the Motion of Thanks on the Governor's Address.

On 16 December 1989, the Motion of Thanks on Governor's address was taken up for discussion. Shri N.B. Bhandari, the Leader of the House replied to the points raised by members. The motion was put to vote and was unanimously adopted by the House.

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* Material contributed by Mizoram Legislative Assembly Secretariat.

** Material contributed by Sikkim Legislative Assembly Secretariat.

UTTAR PRADESH LEGISLATIVE ASSEMBLY*

The Tenth Uttar Pradesh Legislative Assembly commenced its First Session on 10 January 1990 and was adjourned *sine die* on 17 January 1990. The Session was prorogued on 19 January 1990.

Election of Speaker: In the election held on 9 January 1990, Shri Hari Kishan Srivastava of Janata Dal was unanimously elected as the Tenth Speaker of the Assembly.

Governor's Address: The Governor addressed both the Houses assembled together on 10 January 1990. Discussion on the Motion of Thanks on the Governor's Address began on 12 January 1990, which was moved by Shri Ashok Bajpai. Four days were allotted for debate on the Motion, *i.e.* 12, 15, 16 and 17 January 1990. The motion was carried on the last day. The amendments moved by the Leader of Opposition and others were negatived.

Ratification of Constitutional Amendment: On 12 January 1990, the House ratified the Constitution (Sixty-second Amendment) Bill, 1989, passed by both the Houses of Parliament.

Obituary references: On 11 January 1990, the House made obituary references to the passing away of Shri Parmatma Saran Mittal, a newly elected Member, as well as 12 former members. On 17 January 1990, the House also condoled the death of one of its ex-memebrs.

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* Material contributed by Uttar Pradesh Legislative Assembly Secretariat.

11

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APPENDIX I

STATEMENT SHOWING THE WORK TRANSACTED DURING THE FIRST SESSION OF THE NINTH LOK SABHA

1.	PERIOD OF THE SESSION	18 December to 30 December 1989.
2.	NUMBER OF SITTINGS HELD	9
3.	TOTAL NUMBER OF SITTING HOURS	65 hours and 19 minutes
4.	NUMBER OF DIVISIONS HELD	8
5.	GOVERNMENT BILLS	

(i)	Pending at the commencement of the Session	—		Nil
(ii)	Introduced	—		6
(iii)	Laid on the Table as passed by Rajya Sabha	—		2
(iv)	Returned by Rajya Sabha with any amendment/ recommendation and laid on the Table	—		Nil
(v)	Referred to Select Committee	—		Nil
(vi)	Referred by Joint Committee	—		Nil
(vii)	Reported by Select Committee	—		Nil
(viii)	Reported by Joint Committee	—		Nil
(ix)	Discussed	—		4
(x)	Passed	—		4
(xi)	Withdrawn	—		Nil
(xii)	Negatived	—		Nil
(xiii)	Part-discussed	—		Nil
(xiv)	Discussion postponed	—		Nil
(xv)	Returned by Rajya Sabha without any recommendation	—		1
(xvi)	Motion for concurrence to refer the Bill to Joint Committee adopted	—		Nil
(xvii)	Pending at the end of the Session	—	—	4

6. PRIVATE MEMBERS' BILLS

(i)	Pending at the commencement of the Session	—	—	Nil
(ii)	Introduced	—	—	14
(iii)	Motion for leave to introduce negatived	—	—	Nil
(iv)	Laid on the Table as passed by Rajya Sabha	—	—	Nil
(v)	Returned by Rajya Sabha with any amendment and laid on the Table	—	—	Nil
(vi)	Reported by Select Committee	—	—	Nil
(vii)	Discussed	—	—	Nil
(viii)	Passed	—	—	Nil
(ix)	Withdrawn	—	—	Nil
(x)	Negatived	—	—	Nil
(xi)	Circulated for eliciting opinion	—	—	Nil
(xii)	Part-discussed	—	—	Nil
(xiii)	Discussion postponed	—	—	Nil
(xiv)	Motion for circulation of Bill negatived	—	—	Nil
(xv)	Referred to Select Committee	—	—	Nil
(xvi)	Removed from the Register of Pending Bills	—	—	Nil
(xvii)	Pending at the end of the Session	—	—	Nil

7.	NUMBER OF DISCUSSION HELD UNDER RULE 193 (Matters of Urgent Public Importance)			
(i)	Notices received	—	—	57
(ii)	Admitted	—	—	2
(iii)	Discussions held	—	—	1
(iv)	Part discussed	—	—	Nil
8.	NUMBER OF STATEMENTS MADE UNDER RULE 197 (Calling-attention to matters of Urgent Public Importance)			
	Statements made by Minister	—		Nil
9.	MOTION OF NO-CONFIDENCE IN COUNCIL OF MINISTERS			
(i)	Notices received	—	—	Nil
(ii)	Admitted and Discussed	—	—	Nil
(iii)	Barred	—	—	Nil
10.	HALF-AN-HOUR DISCUSSIONS HELD	—	—	Nil
11.	STATUTORY RESOLUTIONS			
(i)	Notices received	—	—	1
(ii)	Admitted	—	—	1
(iii)	Moved	—	—	1
(iv)	Adopted	—	—	Nil
(v)	Negatived	—	—	1
(vi)	Withdrawn	—	—	Nil
12.	GOVERNMENT RESOLUTIONS			
(i)	Notice received	—	—	2
(ii)	Admitted	—	—	2
(iii)	Moved	—	—	2
(iv)	Adopted	—	—	2
13.	PRIVATE MEMBERS' RESOLUTIONS			
(i)	Received	—	—	6
(ii)	Admitted	—	—	6
(iii)	Discussed	—	—	2
(iv)	Adopted	—	—	Nil
(v)	Negatived	—	—	Nil
(vi)	Withdrawn	—	—	1
(vii)	Part-discussed	—	—	1
(viii)	Discussions postponed	—	—	Nil
14.	GOVERNMENT MOTIONS			
(i)	Notices received	—	—	1
(ii)	Admitted	—	—	1
(iii)	Discussed	—	—	1
(iv)	Adopted	—	—	1
(v)	Part-discussed	—	—	Nil
15.	PRIVATE MEMBER'S MOTIONS			
(i)	Notices received	—	—	25
(ii)	Admitted	—	—	5
(iii)	Moved	—	—	Nil
(iv)	Discussed	—	—	Nil
(v)	Adopted	—	—	Nil
(vi)	Negatived	—	—	Nil
(vii)	Withdrawn	—	—	Nil
(viii)	Part-discussed	—	—	Nil
16.	MOTION REGARDING MODIFICATION OF STATUTORY RULE			
(i)	Received	—	—	Nil
(ii)	Admitted	—	—	Nil
(iii)	Moved	—	—	Nil
(iv)	Discussed	—	—	Nil
(v)	Adopted	—	—	Nil
(vi)	Negatived	—	—	Nil

(vii)	Withdrawn	—	—	Nil
(viii)	Part-discussed	—	—	Nil
17.	Number of parliamentary committees constituted, if any, during the Session	—	—	Nil
18.	Total number of visitors' passes issued during the Session	—	—	14,501
19.	Maximum number of Visitors' Passes issued on a single day, and date on which issued	—	—	2,646 on 29 December, 1989
20.	Number of Adjournment Motions			
(i)	Brought before the House	—	—	Nil
(ii)	Admitted and discussed	—		Nil
(iii)	Barred in view of adjournment motion admitted on the subject	—	—	Nil
(iv)	Consent withheld by the Speaker outside the House	—	—	28
(v)	Consent given by the Speaker but leave not granted by the House	—	—	Nil
21.	Total number of Questions admitted			
(i)	Starred	—	—	99
(ii)	Unstarred (inculding Starred Questions converted as Unstarred Questions)	—	—	400
(iii)	Short-Notice Questions	—	—	1

22. Working of parliamentary committees

Sl. No.	Name of the Committee	No. of sittings held during the period 1 October to 31 December 1989.	No. of Reports presented to the House during the Session
1	2	3	4
(i)	Business Advisory Committee	2	2
(ii)	Committee on Absence of Members	..	..
(iii)	Committee on Public Undertakings	1	..
(iv)	Committee on Papers Laid on the Table	..	..
(v)	Committee on Petitions	1	
(vi)	Committee on Private Members' Bills and Resolutions	..	
(vii)	Committee on the Welfare of Secheduled Castes and Scheduled Tribes	1	
(viii)	Committee of Privileges	..	..
(ix)	Committee on Government Assurances	1	1
(x)	Committee on Subordinate Legislation		..
(xi)	Estimates Committee		..
(xii)	General Purposes Committee		..

(xiii)	House Committee	1	
	(a) Accommodation Sub-Committee	..	
	(b) Sub-Committee on Amenities		
	(c) Sub-Committee on Furnishing	..	..
(xiv)	Public Accounts Committee	2	3
(xv)	Railway Convention Committee	1	..
(xvi)	Rules Committee	..	..
	JOINT/SELECT COMMITTEES		
(i)	Joint Committee on Offices of Profit	..	
(ii)	Joint Committee on Salaries and Allowances of Members of Parliament	1	
(iii)	Joint Committee on Railways Bill, 1986		
	SUBJECT COMMITTEES		
(i)	Subject Committee on Environment and Forest	1	—
(ii)	Subject Committee on Agriculture	2	—
(iii)	Subject Committee on Science and Technology	1	—

23. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE — Nil

24. PETITIONS PRESENTED — Nil

25. NUMBER OF NEW MEMBERS SWORN WITH DATE

No. of Members sworn	Date on which swor
(i) 448	18 December 1989
(ii) 56	19 December 1989
(iii) 7	20 December 1989
(iv) 5	21 December 1989
(v) 1	26 December 1989

APPENDIX II

STATEMENT SHOWING THE WORK TRANSACTED DURING THE HUNDRED AND FIFTY-SECOND SESSION OF RAJYA SABHA

1.	PERIOD OF THE SESSION	20 December 1989 to 29 December 1989
2.	NUMBER OF SITTINGS HELD	7
3.	TOTAL NUMBER OF SITTING HOURS	57 hours and 19 minutes
4.	NUMBER OF DIVISIONS HELD	10
5.	GOVERNMENT BILLS	
(i)	Pending at the commencement of the Session	10
(ii)	Introduced	1
(iii)	Laid on the Table as passed by Lok Sabha	3
(iv)	Returned by Lok Sabha with any amendment	Nil
(v)	Referred to Select Committee by Rajya Sabha	Nil
(vi)	Referred to Joint Committee by Rajya Sabha	Nil
(vii)	Reported by Select Committee	Nil
(viii)	Reported by Joint Committee	Nil
(ix)	Discussed	5
(x)	Passed	5
(xi)	Withdrawn	Nil
(xii)	Negatived	Nil
(xiii)	Part-Discussed	Nil
(xiv)	Returned by Rajya Sabha without any recommendation	1
(xv)	Discussion postponed	Nil
(xvi)	Pending at the end of the Session	9
6.	PRIVATE MEMBERS' BILLS	
(i)	Pending at the commencement of the Session	47
(ii)	Introduced	2
(iii)	Laid on the Table as passed by Lok Sabha	Nil
(iv)	Returned by Lok Sabha with any amendment and laid on the Table	Nil
(v)	Reported by Joint Committee	Nil
(vi)	Discussed	2
(vii)	Withdrawn	1
(viii)	Passed	Nil
(ix)	Negatived	Nil
(x)	Circulated for eliciting opinion	Nil
(xi)	Part-discussed	1
(xii)	Discussion postponed	Nil
(xiii)	Motion for circulation of Bill negatived	Nil
(xiv)	Referred to Select Committee	Nil
(xv)	Lapsed due to retirement/death of Member-in-charge of the Bill	Nil
(xvi)	Pending at the end of the Session	48
7.	NUMBER OF DISCUSSIONS HELD UNDER RULE 176 (Matters of urgent public importance)	
(i)	Notice received	19
(ii)	Admitted	16
(iii)	Discussions held	Nil

8.	NUMBER OF STATEMENT MADE UNDER RULE 180 (Calling-Attention to Matters of urgent Public Importance). Statements made by Ministers	1
9.	HALF-AN-HOUR DISCUSSIONS HELD	1
10.	STATUTORY RESOLUTIONS	
(i)	Notice received	Nil
(ii)	Admitted	Nil
(iii)	Moved	Nil
(iv)	Adopted	Nil
(v)	Negatived	Nil
(vi)	Withdrawn	Nil
11.	GOVERNMENT RESOLUTIONS	
(i)	Notice's received	1
(ii)	Admitted	1
(iii)	Moved	1
(iv)	Adopted	1
12.	PRIVATE MEMBERS' RESOLUTIONS	
(i)	Received	3
(ii)	Admitted	3
(iii)	Discussed	1
(iv)	Withdrawn	1
(v)	Negatived	Nil
(vi)	Adopted	Nil
(vii)	Part-discussed	1
(viii)	Discussion postponed	Nil
13.	GOVERNMENT MOTIONS	
(i)	Notices received	Nil
(ii)	Admitted	Nil
(iii)	Moved	Nil
(iv)	Adopted	Nil
(v)	Part-discussed	Nil
14.	PRIVATE MEMBERS' MOTIONS	
(i)	Received	45
(ii)	Admitted	44
(iii)	Moved	None
(iv)	Adopted	None
(v)	Part-discussed	None
(vi)	Negetive	None
(vii)	Withdrawn	None
15.	MOTIONS REGARDING MODIFICATION OF STATUTORY RULE	
(i)	Received	Nil
(ii)	Admitted	Nil
(iii)	Moved	Nil
(iv)	Adopted	Nil
(v)	Negatived	Nil
(vi)	Withdrawn	Nil
(vii)	Part-discussed	Nil
16.	NUMBER OF PARLIAMENTARY COMMITTEES CREATED, IF ANY DURING THE SESSION	Nil
17.	TOTAL NUMBER OF VISITORS' PASSES ISSUED	1662
18.	TOTAL NUMBER OF PERSONS VISITED	1,971

19. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY, AND DATE ON WHICH ISSUED — 429 on 29 December, 1989

20. MAXIMUM NUMBER OF PERSONS VISITED ON ANY SINGLE DAY AND DATE ON WHICH VISITED — 468 on 29 December, 1989

21. TOTAL NUMBER OF QUESTIONS ADMITTED
    (i) Starred — 99
    (ii) Unstarred — 567
    (iii) Short-Notice Questions — None

22. DISCUSSION ON THE WORKING OF THE MINISTRIES — Nil

23. WORKING OF PARLIAMENTARY COMMITTEES

Name of Committee	No. of meetings held during the period from 1 October to 31 December 1989	No. of Reports presented during the Session
(i) Business Advisory Committee	1	Nil
(ii) Committee on Subordinate Legislation	7	1
(iii) Committee on Petitions	7	Nil
(iv) Committee of Privileges	Nil	Nil
(v) Committee on Rules	Nil	Nil
(vi) Committee on Government Assurances	5	Nil
(vii) Committee on Papers Laid on the Table	1	Nil
(viii) Joint Committee on the Shipping Agents (Licensing) Bill, 1987	2	Nil

24. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE — Nil

25. PETITIONS PRESENTED — Nil

26. NAME OF NEW MEMBERS SWORN WITH DATES — Nil

27. OBITUARY REFERENCES

S.No.	Name	Sitting Member/Ex-Member
1.	Shri M. Sherkhan	Ex-Member
2.	Shri Shyam Lal Gupta	—do—
3.	Shri Shiva Chandra Jha	—do—
4.	Shri Abhimanyu Rath	—do—
5.	Shri Mohan Singh	—do—

APPENDIX III

STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF STATES AND UNION TERRITORIES DURING THE PERIOD 1 OCTOBER TO 31 DECEMBER 1989

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Questions
1	2	3	4	5	6	7	8
STATES							
Andhra Pradesh L.A.	—	—	—	—	—	—	—
Arunachal Pradesh L.A.	—	—	—	—	—	—	—
Assam L.A.	30.11.89 to 8.12.89	6	5(5)	—	277(229)	115(88)	26(14)
Bihar L.A.	—	—		—	—	—	—
Bihar L.C.	—	—	—	—	—	—	—
Gujarat L.A.	—	—	—	—	—	—	—
Goa L.A.	—	—	—	—	—	—	—
Haryana L.A.	—	—	—	—	—	—	—
Himachal Pradesh L.A.	11.12.89 to 15.12.89	5	4(4)	—	207 (145)	10 (24)	—
Jammu & Kashmir L.A.	—	—	—	—	—	—	—
Jammu & Kashmir L.C.	—	—	—	—	—	—	—
Karnataka L.A.	18.12.89 to 22.12.89	5	2 (2)	—	—	—	—
Karnataka L.C.	18.12.89 to 22.12.89	5	2 (2)	—	—	—	1
Kerala L.A.	—	—	—	—	—	—	—
Madhya Pradesh L.A.	—	—	—	—	—	—	—
Maharashtra L.A.	16.10.89 to 20.10.89	5	11 (11)	—	2,587 (154)	48 (9)	44 (14)
Maharashtra L.C.	16.10.89 to 20.10.89	5	3 (3)	—	1,400 (149)	1	5 (1)

Manipur L.A.	—	—	—	—	—	—	—
Meghalaya L.A.	15.12.89 to 20.12.89	2	—	—	—	—	
Mizoram L.A.	—	—	—	—	—	—	—
Nagaland L.A.	—	—	—	—	—	—	—
Orissa L.A.	—	—	—	—	—	—	—
Punjab L.A.	—	—	—	—	—	—	—
Rajasthan L.A.	—	—	—	—	—	—	—
Sikkim L.A.	16.10.89 to 17.10.89 and 15.12.89 to 16.12.89	4	2 (2)	—	—	—	—
Tamil Nadu L.A.	30.10.89 to 2.11.89	4	12 (12)	—	551 (156)	230 (230)	1 (1)
Tripura L.A.	—	—	—	—	—	—	—
Uttar Pradesh L.A.	—	—	—	—	—	—	—
Uttar Pradesh L.C.	—	—	—	—	—	—	—
West Bengal L.A.	—	—	—	—	—	—	—
UNION TERRITORIES							
Delhi Metropolitan Council	—	—	—	—	—	—	—
Pondicherry L.A.	25-10-89*	1	—	—	—	—	—

Notes:

(i) Figures in cols. 4 and 5 indicate the number, respectively, of Government and Private Members' Bills introduced with the number of Bills passed in brackets.

(ii) Figures in cols. 6, 7 and 8 indicate the number of notices received followed by the number of notices admitted in brackets.

APPENDIX III *(Contd.)*

COMMITTEES AT WORK/NUMBER OF SITTINGS HELD AND NUMBER OF REPORTS PRESENTED

	Business Advisory Committee	Committee on Govt. Assurances	Committee on Petitions	Committee on Private Members' Bills and Resolutions	Committee of Privileges	Committee on Public Undertakings	Committee on Subordinate Legislation	Committee on the Welfare of SC and ST	Estimates Committee	General Purposes Committee	House/Accommodation Committee	Library Committee	Public Accounts Committee	Rules Committee	Joint/Select Committee	Other Committees
	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
STATES																
Andhra Pradesh L.A.	—	1	2	—	1(1)	11	2	4(a)	8	—	—	—	2	—	—	12(b)
Arunachal Pradesh L.A.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Assam L.A.	1	1(1)	2(1)	—	—	2(1)	—	3(2)	1(1)	—	1	1	2(3)	—	—	—
Bihar L.A.	—	67	51	—	10	73	8	89	36	—	19	33	38	1	—	81(c)
Bihar L.C.	—	21	8	10	9	—	11	2	—	13	8	13	—	9	—	10(d)

Gujarat L.A.	—	2	—	—	2	3	—	5(e)	2	—	—	—	9	—	—	11(f)
Goa L.A.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Haryana L.A.	—	19	1	—	4	25	7	14	6	—	1	9	19	—	—	—
Himachal Pradesh L.A.	1(1)	3(4)	—	—	—	10(12)	3(1)	10(12)	10(8)	—	—	1	8(24)	2(1)	—	9(2) (g)
Jammu & Kashmir L.A.	—	5	1	—	3	—	6	—	—	1	2	2	—	1	—	—
Jammu & Kashmir L.C.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Karnataka L.A.	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Karnataka L.C.	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kerala L.A.	—	10	13	14	7	—	13	13	9	—	8	11	12	1	—	5(h)
Madhya Pradesh L.A.	—	—	—	—	2	—	2	4	2	—	—	—	1	—	—	4(i)
Maharashtra L.A	3(1)	8(1)	—	—	3(1)	20(1)	12(1)	5	—	—	—	—	12	—	—	5(3) (j)
Maharashtra L.C.	1	—	—	1(1)	3(1)	20(1)	—	5	—	—	—	—	12	—	—	3(1) (k)
Manipur L.A.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Meghalaya L.A.	1	—	—	—	—	4	2	4	—	—	—	—	3	—	—	—
Mizoram L.A.	—	3	1	—	—	—	—	—	6	—	2	1	37	3	—	—
Nagaland L.A.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Orissa L.A.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Punjab L.A.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Rajasthan L.A.	1(1)	13	7	—	13	13	4	20	25	—	10	36	1	10	—	—
Sikkim L.A.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Tamil Nadu L.A.	1	2	5	—	—	16(15)	4(1)	—	(1)	—	—	—	6	—	—	4(m)
Tripura L.A.	—	—	1	—	1	2	2	—	(1)	—	—	1	—	—	—	—
Uttar Pradesh L.A.	—	7	—	—	—	9	1	4	2	—	2	—	1	—	—	—
Uttar Pradesh L.C.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
West Bengal L.A.	—	4	7	—	5	5	3	5	6	—	2	3	4	1	—	17(n)
UNION TERRITORIES																
Delhi Metropolitan Council	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Pondicherry L.A.	—	—	1(1)	—	—	—	1(1)	—	24(1)	—	—	2	26(1)	—	—	—

Notes: Figures in the brackets indicate the number of reports presented to the House.

(a) Committee on the Welfare of Scheduled Castes —1 sitting; *and* Committee on the Welfare of Scheduled Tribes —3 sittings.

(b) Committee on Backward Classes—12 sittings.

(c) Questions and Calling Attention Committee—35 sittings; *and* Zila Panchayat Committee — 46 sittings.

(d) Questions and Calling Attention Committee —10 sittings.

(e) Committee on the Welfare of Scheduled Castes — 2 sittings; *and* Committee on the Welfare of Scheduled Tribes — 3 sittings.

(f) Committee on the Welfare of Socially and Educationally Backward Classes —3 sittings; Members' Allowances Rules Committee —1 sitting; Committee on Panchyayati Raj —6 sittings; *and* Committee on MLAs' Hostel —1 sitting.

(g) Committee on Papers Laid on the Table —6 sittings and 1 report; *and* Implementation of Offical Language Committee —3 sittings and 1 report.

(h) Subject Committee (I) —1 sitting; Subject Committee(II) —1 sitting; Subject Committee (IV)—1 sitting; Subjct Committee (V) —1 sitting; and Subject Committee (IX) —1 sitting.

(i) Questions and References Committee —4 sittings.

(j) Committee on Panchayati Raj —2 sittings and 2 reports; and Dorli Bus Accident Enquiry Committee —3 sittings and 1 report.

(k) Dorli Bus Accident Enquiry Committee —3 sittings and 1 report.

(m) Committee on Papers Laid on the Table —4 sittings.

(n) Subject Committee on Health and Family Welfare —3 sittings; Subject Committee on Environment —4 sittings; Subject committee on Panchayats —2 sittings; Subject Committee on Education —3 sittings; *Adhoc* Committee on the Question of Subject Committees —5 sittings.

APPENDIX IV

LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT AND ASSENTED TO BY THE PRESIDENT DURING THE PERIOD 1 OCTOBER TO 31 DECEMBER 1989.

S. No.	Title of the Bill	Date of assent by the President
1.	The Appropriation (No. 5) Bill, 1989	18.10.1989
2.	The Nagaland University Bill, 1989	20.10.1989
3.	The Direct Tax Laws (Second Amendment) Bill, 1989	20.10.1989
4.	The Warehousing Corporations (Amendment) Bill, 1989	22.10.1989
5.	The General Insurance Business (Nationalisation) Amendment Bill, 1989	22.10.1989
6.	The Small Industries Development Bank of India Bill, 1989	22.10.1989
7.	The Customs (Amendment) Bill, 1989	26.10.1989

APPENDIX V

LIST OF BILLS PASSED BY THE LEGISLATURES OF STATES AND UNION TERRITORIES DURING THE PERIOD 1 OCTOBER TO 31 DECEMBER 1989

STATES

HIMACHAL PRADESH VIDHAN SABHA

1. The Himachal Pradesh Appropriation (No. 4) Bill, 1989.
2. The Punjab Excise (Himachal Pradesh) (First Amendment) Bill, 1989.
3. The Punjab Excise (Himachal Pradesh) (Second Amendment) Bill, 1989.
4. The Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) (Second Amendment) Bill, 1989.

KARNATAKA LEGISLATIVE COUNCIL

1. The Karnataka Appropriation (No. 2) Bill, 1989.
2. The Karnataka Local Authorities Laws (Amendment) Bill, 1989.

MAHARASHTRA LEGISLATIVE ASSEMBLY

1. The Maharashtra Village Panchayats (Temporary Postponement of Certain Elections due to Flood Conditions in the State) Bill, 1989.
2. The Maharashtra Agricultural Universities (Krishi Vidyapeeths) (Amendment) Bill, 1989.
3. The Maharashtra Legislature Members' Pension (Amendment) Bill, 1989.
4. The Maharashtra Raw Cotton (Procurement, Processing and Marketing) (Retrospective Extension of Duration) Bill, 1989.
5. The Bombay University (Temporary Postponement of Elections of University Representatives) Bill, 1989.
* 6. The Maharashtra Sales Tax on the Transfer of Property in Goods involved in the Execution of Works Contracts (Re-enacted) Bill, 1989.
7. The Maharashtra (Third Supplementary) Appropriation Bill, 1989.
8. The Maharashtra Appropriation (Excess Expenditure) Bill, 1989.
9. The Bombay Metropolitan Region Development Authority (Amendment) Bill, 1989.
10. The Bombay Municipal Corporation (Amendment) Bill, 1989.
11. The Maharashtra Co-operative Societies (Amendment) Bill, 1989.

*Awaiting assent

Maharashtra Legislative Council

1. The Bombay Metropolitan Region Development Authority (Amendment) Bill, 1989.
2. The Bombay Municipal Corporation (Amendment) Bill, 1989.
* 3. The Maharashtra Co-operative Societies (Amendment) Bill, 1989.
4. The Maharashtra Agriculture Universities (Krishi Vidyapeeths) (Amendment) Bill, 1989.
5. The Maharashtra (Third Supplementary Appropriation) Bill, 1989.
6. The Maharashtra Appropriation (Excess Expenditure) Bill, 1989.
7. The Maharashtra Raw Cotton (Procurement, Processing and Marketing) (Retrospective Extension of Duration) Bill, 1989.
* 8. The Maharashtra Sales Tax on the Transfer of Property in Goods involved in the Execution of Works Contracts (Re-enacted) Bill, 1989.
9. The Maharashtra Village Panchayats (Postponement of certain Elections due to Flood Condition in the State) Bill, 1989.
10. The Bombay Universities (Postponement of Elections of the University Representative) Bill, 1989.

Rajasthan Legislative Assembly

* 1. The Rajasthan Sales Tax (Amendment) Bill, 1989.
* 2. The Rajasthan Municipalities (Amendment) Bill, 1989.
* 3. The Rajasthan Land Development Corporation (Amendment) Bill, 1989.
* 4. The Rajasthan Non-Government Educational Institutions Bill, 1986.

Sikkim Legislative Assembly

1. The Sikkim Transfer of Land (Regulation) Bill, 1989.
2. The Sikkim Alienation of Land (Regulation) Bill, 1989.

Tamil Nadu Legislative Assembly

1. The Tamil Nadu Contingency Fund (Second Amendment) Bill, 1989.
2. The Tamil Nadu Sales Tax (Surcharge) Second Amendment Bill, 1989.
3. The Tamil Nadu Payment of Salaries (Second Amendment) Bill. 1989.
4. The Tamil Nadu Entertainments Tax and Local Authorities Finance (Amendment) Bill, 1989.
5. The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Amendment Bill, 1989.
6. The Tamil Nadu Municipal Corporation Laws (Fourth Amendment) Bill, 1989.
7. The Tamil Nadu Debt Relief (Amendment) Bill, 1989.
8. The Tamil Nadu Co-operative Societies (Amendment) Bill, 1989.

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*Awaiting assent

9. The Tamil Nadu Agricultural Service Co-operative Societies (Appointment of Special Officers) Amendment Bill, 1989.
10. The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Bill, 1989.
11. The Tamil Nadu Panchayats (Third Amendment) Bill, 1989.
12. The Tamil Nadu Veterinary and Animal Husbandry Sciences University Bill, 1989.

APPENDIX VI

ORDINANCES ISSUED BY THE UNION AND STATE GOVERNMENTS DURING THE PERIOD 1 OCTOBER TO 31 DECEMBER 1989

Sl. No.	Subject	Date of Promulgation	Date on which laid before the House	Date of Cessation	Remarks
1	2	3	4	5	6
		UNION GOVERNMENT			
1.	The Representation of the People (Amendment) Ordinance, 1989	21.10.1989	20.12.1989	31.1.1990	—
		STATE GOVERNMENTS			
		GUJARAT			
1.	The Gujarat State Tax on Professions, Trades, Callings and Employments (Amendment) Ordinance, 1989	21.10.1989	—	—	—
2.	The Gujarat Irrigation and Drainage (Amendment) Ordinance, 1989	27.10.1989	—	—	—
		KERALA			
1.	The Kerala Contingency Fund (Amendment) Ordinance, 1989	2.1.89	—	—	—
2.	The Kerala Police (Amendment) Ordinance, 1989	16.11.89	—	—	—
		MADHYA PRADESH			
1.	Madhya Pradesh Atyawashak Sewa Sandharan tatha Wichchinnata Niwaran (Sanshodhan) Adhyadesh, 1989.	15.11.89	—	—	—

1	2	3	4	5	6
		MAHARASHTRA			
1.	The Maharashtra Contingency Fund (Amendment) Ordinance, 1989.	6.9.1989	16.10.1989	27.10.89	Replaced by Legislation
2.	The Maharashtra Village Panchayats (Temporary Postponement of certain Elections due to Flood conditions in the State) Ordinance, 1989.	14.9.1989	-do-	2.11.89	-do-
3.	The Maharashtra Raw Cotton (Procurement, Processing and Marketing) (Retrospective Extension of Duration) Ordinance, 1989.	29.9.1989	-do-	18.11.89	-do-
4.	The Bombay University (Temporary Postponement of Elections of University Representatives) Ordinance, 1989.	6.10.1989	-do-	3.11.89	-do-
		RAJASTHAN			
1.	The Rajasthan Sales Tax (Amendment) Ordinance, 1989.	13.9.1989	28.12.1989	—	—
2.	The Rajasthan Municipalities (Amendment) Ordinance, 1989.	12.10.1989	28.12.1989	—	—
3.	The Rajasthan Land Development Corporation (Amendment) Ordinance, 1989.	21.10.1989	28.12.1989	—	—
		TAMIL NADU			
1.	The Tamil Nadu Co-operative Societies (Appointment of Special Officers) (Amendment) Ordinance, 1989.	7.10.89	30.10.89	—	Replaced by Legislation.
2.	The Tamil Nadu Debt Relief (Amendment) Ordinance, 1989.	11.10.89	-do-	—	-do-
3.	The Tamil Nadu Co-operative Societies (Appointment of Special Officers) (Amendment) Ordinance, 1989.	23.10.89	-do-	—	-do-

4.	The Tamil Nadu Agricultural Produce Markets (Appointment of Special Officers) Laws (Amendment) Ordinance, 1989.	6.12.89	-do-	—	-do-
5.	The Panchalyappa's Trust and the Scheduled Public Trusts and Endowments (Taking-over of Management) (Amendment) Ordinance, 1989.	21.12.1989	-do-	—	-do-
6.	The Tamil Nadu Contingency Fund (Third Amendment) Ordinance, 1989.	22.12.1989	-do-	—	-do-
		UTTAR PRADESH			
1.	The Uttar Pradesh Excise (Amendment) Ordinance, 1989.	23.12.89	—	—	—
2.	The Uttar Pradesh Co-operative Societies (Third Amendment) Ordinance, 1989.	30.12.89	—	—	—
3.	The Uttar Pradesh Krishi Utpadan Mandi Samities (Alpakalik Vyawastha) (Dwitiya Sanshodhana) Adhyadesh, 1989.	30.12.89	—	—	—
4.	The Uttar Pradesh Municipalities, Notified Areas and Town Areas (Alpakalik Vyawastha) Amendment Ordinance, 1989.	-do-	—	—	—
5.	The Uttar Pradesh Ministers, State Legislature Officers, and Members Amenities Laws, (Amendment) Ordinance, 1989.	31.12.89	—	—	—

APPENDIX VII

A. PARTY POSITION IN LOK SABHA (As on 1 March 1990)

Sl. No.	Name of State/ Union Territory	Seats	Cong. (I)	Janata Dal	BJP	CPI (M)	CPI	Other parties	Ind.	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11	12
	STATES										
1.	Andhra Pradesh	42	38	—	—	—	—	3(a)	—	41	1
2.	Arunachal Pradesh	2	2	—	—	—	—	—	—	2	—
3.	Bihar	54	4	30	9	1	4	5(b)	—	53	1
4.	Goa	2	1	—	—	—	—	1(c)	—	2	—
5.	Gujarat	26	3	11	12	—	—	—	—	26	—
6.	Haryana	10	4	5	—	—	—	—	—	9	1
7.	Himachal Pradesh	4	1	—	3	—	—	—	—	4	—
8.	Jammu and Kashmir	6	2	—	—	—	—	3(d)	1	6	—
9.	Karnataka	28	27	1	—	—	—	—	—	28	—
10.	Kerala	20	14	—	—	2	—	4(e)	—	20	—
11.	Madhya Pradesh	40	8	3	27	—	—	—	1	39	1
12.	Maharashtra	48	28	5	10	—	1	1(f)	3	48	—
13.	Manipur	2	2	—	—	—	—	—	—	2	—
14.	Meghalaya	2	2	—	—	—	—	—	—	2	—
15.	Mizoram	1	1	—	—	—	—	—	—	1	—
16.	Nagaland	1	1	—	—	—	—	—	—	1	—
17.	Orissa	21	3	15	—	1	1	—	—	20*	—
18.	Punjab	13	2	1	—	—	—	6(g)	3	12	1
19.	Rajasthan	25	—	11	13	1	—	—	—	25	—
20.	Sikkim	1	—	—	—	—	—	1(h)	—	1	—
21.	Tamil Nadu	39	26	—	—	—	1	11(i)	—	38	1
22.	Tripura	2	2	—	—	—	—	—	—	2	—
23.	Uttar Pradesh	85	15	53	8	1	2	3(j)	2	84	1

24.	West Bengal	42	4	—	—	26	3	8(k)	—	41	1
	UNION TERRITORIES										
25.	Andaman and Nicobar Island	1	1	—	—	—	—	—	—	1	—
26.	Chandigarh	1	—	1	—	—	—	—	—	1	—
27.	Dadra and Nagar Haveli	1	—	—	—	—	—	—	1	1	—
28.	Daman & Diu	1	—	—	—	—	—	—	1	1	—
29.	Delhi	7	2	1	4	—	—	—	—	7	—
30.	Lakshadweep	1	1	—	—	—	—	—	—	1	—
31.	Pondicherry	1	1	—	—	—	—	—	—	1	—
	Total:	529	195	137	86	32	12	46	12	520*	8

* Excluding Speaker.

(a) Telugu Desam—2; *and* All India Majlis-e-Ittehadul Muslimeen—1.
(b) Jharkhand Mukti Morcha—3; Indian People's front—1; *and* Marxist Co-ordination—1.
(c) Maharashtravadi Gomantak Party—1.
(d) National Conference—3.
(e) Muslim League—2; Indian Congress (Socialist Sarat Chandra Sinha)—1; *and* Kerala Congress(M)—1.
(f) Shiv Sena—1.
(g) Shiromani Akali Dal (Simranjit Singh Mann)—5; *and* Bahujan Samaj Party—1.
(h) Sikkim Sangram Parishad—1.
(i) All India Anna Dravida Munnetra Kazhagam—11.
(j) Bahujan Samaj Party—2; *and* Akhil Bhartiya Hindu (Maha Sabha)—1.
(k) Revolutionary Socialist Party—4; Forward Bloc—3; *and* Gorkha National Liberation Front—1.

B. PARTY POSITION IN RAJYA SABHA (As on 20 February 1990)

Sl. No.	States/Union Territories	Seats	Cong. (I)	Janata Dal	CPI (M)	BJP	Others	Unattached	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11
	STATES									
1.	Andhra Pradesh	18	3	—	1	—	13(a)	—	17	1
2.	Arunachal Pradesh	1	1	—	—	—	—	—	1	—
3.	Assam	7	3	—	—	—	4(b)	—	7	—
4.	Bihar	22	17	1	—	2	2(c)	—	22	—
5.	Goa	1	1	—	—	—	—	—	1	—
6.	Gujarat	11	10	—	—	—	—	—	10	1
7.	Haryana	5	2	2	—	—	—	—	4	1
8.	Himachal Pradesh	3	3	—	—	—	—	—	3	—
9.	Jammu and Kashmir	4	1	—	—	—	2(d)	—	3	1
10.	Karnataka	12	3	7	—	—	1(e)	—	11	1
11.	Kerala	9	2	1	3	—	3(f)	—	9	—
12.	Madhya Pradesh	16	13	—	—	1	—	—	14	2
13.	Maharashtra	19	16	2	—	1	—	—	19	—
14.	Manipur	1	1	—	—	—	—	—	1	—
15.	Meghalaya	1	1	—	—	—	—	—	1	—
16.	Mizoram	1	—	—	—	—	—	—	—	1
17.	Nagaland	1	1	—	—	—	—	—	1	—
18.	Orissa	10	10	—	—	—	—	—	10	—
19.	Punjab	7	3	—	—	—	1(g)	—	4	3
20.	Rajasthan	10	7	1	—	—	—	1	9	1
21.	Sikkim	1	—	—	—	—	1(h)	—	1	—
22.	Tamil Nadu	18	4	—	1	—	13(i)	—	18	—
23.	Tripura	1	—	—	1	—	—	—	1	—
24.	Uttar Pradesh	34	24	4	—	—	1(j)	1	30	4
25.	West Bengal	16	1	—	11	—	3(k)	—	15	1

	UNION TERRITORIES									
26.	Delhi	3	1	—	—	—	—	—	1	2
27.	Pondicherry	1	1	—	—	—	—	—	1	—
	NOMINATED	12	7	—	—	—	—	5	12	—
	Total	245	136	18	17	4	44	7	226	19

(a) Telugu Desam—13.
(b) Asom Gana Parishad—3; *and* Indian Congress(S)—1.
(c) CPI—1; *and* Lok Dal—1.
(d) National Conference—2.
(e) Janata—1.
(f) Kerala Congress—1; Muslim League—1; *and* CPI—1.
(g) Akali Dal—1.
(h) Sikkim Sangram Parishad—1.
(i) AIADMK(I)—3; AIADMK(II)—3; *and* DMK—7.
(j) Janata—1.
(k) RSP—2; *and* CPI—1.

C. PARTY POSITION IN STATE LEGISLATURES

State/Union Territory	Seats	Cong.(I)	Janata Dal	Lok Dal	BJP	CPI(M)	CPI	Other Parties	Ind.	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11	12
Andhra Pradesh L.A. (As on 22.1.1990)	295	180	1	—	5	6	8	89(a)	4	293	2
Arunachal Pradesh L.A. (As on 1.1.1990)	33	30	—	—	—	—	—	2(b)	—	32	1
Assam L.A. (As on 31.12.1989)	126	23	—	—	—	2	—	94(c)	3	122	4
Bihar L.A. (As on 5.1.1990)	325	189	45	—	14	1	12	9(d)	28	298*	26
Bihar L.C. (As on 1.1.1990)	96	44	2	3	1	—	6	2(e)	2	60	36
Goa L.A. (As on 9.1.1990)	40	20	—	—	—	—	—	18(f)	2	40	—
Gujarat L.A. (As on 31.12.1989)	182	142	9	—	9	—	—	—	8	168	14
Haryana L.A. (As on 1.1.1990)	90	5	57	—	17	1	1	—	6	87*	2
Himachal Pradesh L.A. (As on 1.1.1990)	68	55	—	1	7	—	—	1(g)	2	66	2
Jammu & Kashmir L.A. (As on 1.7.1989)	76	26	—	—	2	—	—	45(h)	4	77	1
Jammu & Kashmir L.C. (As on 1.1.1990)	36	12	—	—	—	—	—	16(i)	—	30	6
Karnataka L.A. (As on)	—	—	—	—	—	—	—	—	—	—	—
Karnataka L.C. (As on)	—	—	—	—	—	—	—	—	—	—	—
Kerala L.A. (As on 1.1.1990)	141	32	7	1	—	38	16	35(j)	10	139*	1
Madhya Pradesh L.A. (As on 1.10.1990)	321	246	5	—	57	—	—	1(k)	5	314	6

Maharashtra L.A. (As on 1.11.1989)	289	210	21	—	15	2	2	16(l)	20	286	3
Maharashtra L.C. (As on 12.12.1989)	78	42	1	—	6	—	—	5(m)	9	63	15
Manipur L.A. (As on)	—	—	—	—	—	—	—	—	—	—	—
Meghalaya L.A. (As on 1.1.1990)	60	—	—	—	—	—	—	57(n)	—	57*	2
Mizoram L.A. (As on 1.1.1990)	40	22	—	—	—	—	—	17(o)	—	39*	—
Nagaland L.A. (As on 1.1.1990)	60	36	—	—	—	—	—	24(p)	—	60	—
Orissa L.A. (As on)	—	—	—	—	—	—	—	—	—	—	—
Punjab L.A. (As on)	—	—	—	—	—	—	—	—	—	—	—
Rajasthan L.A. (As on 1.1.1990)	200	111	34	1	32	—	—	—	9	187	13
Sikkim L.A. (As on 1.1.1990)	32	—	—	—	—	—	—	32(q)	—	32	—
Tamil Nadu L.A. (As on 31.12.1989)	235	26	4	—	—	15	3	183(r)	3	234*	—
Tripura L.A. (As on 1.1.1990)	60	25	—	—	—	25	—	10(s)	—	60	—
Uttar Pradesh L.A. (As on 1.1.1990)	426	94	204	2	56	2	6	16(t)	40	420	6
Uttar Pradesh L.C. (As on 1.10.1989)	108	29	5	4	3	—	1	11(u)	4	57	51
West Bengal L.A. (As on 1.1.1990)	295	39	—	—	—	183	11	58(v)	—	291	4
UNION TERRITORIES											
Delhi Metropolitan Council (As on 1.10.1989)	61	37	—	—	17	—	—	—	3	57	4
Pondicherry L.A. (As on 2.3.1990)	30	11	4	—	—	—	2	12(w)	1	30	—

NOTES: *Excluding Speaker

(a) Telugu Desam Party – 74; All India Majlis-e-Ittehadul Muslimeen – 4; Democratic People's Front – 10; and Marxist Communist Party of India – 1.
(b) People's Party of Arunachal Pradesh – 2.
(c) Asom Gana Parihsad – 71; Indian National Congress (S) – 3; United Minorities Front – 17; *and* PTCA – 3.
(d) Jharkhand Mukti Morcha – 7; SUCI – 1; *and* Nominated – 1.
(e) *Sub Judice* – 2.
(f) Maharashtravadi Gomantak Party – 18.
(g) Unattached – 1.
(h) National Conference (F) – 41; *and* Muslim United Front – 4.
(i) National Conference – 17; *and* Awami National Conference – 1.
(j) Muslim League – 15; Indian Congress Socialist (Sarat Chandra Sinha) – 6; Kerala Congress – 5; Kerala Congress (Mani Group) – 4; *and* Revolutionary Socialist Party – 5.
(k) Nominated – 1.
(l) Peasants and Workers Party – 13; Congress (S) 2; *and* Nominated – 1.
(m) Peasants and Workers Party – 3; Shiv Sena – 1; *and* Republican Party (Gavai Group) – 1.
(n) UMPF – 47; *and* RDF – 10.
(o) Mizo National Front – 14; Mizo National Front (D) – 2; *and* Democratic Party – 1.
(p) Nagaland People's Council – 24.
(q) Sikkim Sangram Parishad – 32.
(r) Dravida Munnetra Kazhagam – 144; All India Anna Dravida Munnetra Kazhagam – 29; All India Anna Dravida Munnetra Kazhagam (Janaki Group) – 1; Indian Union Muslim League – 4; Tamil Nadu Janata – 2; Indian Farmers and Toilers Party – 1; Nominated – 1; and Tamil Nadu Forward Bloc – 1.
(s) Tripura Upajati Juba Samiti – 8; *and* Revolutionary Socialist Party – 2.
(t) Bahujan Samaj Party – 13; Janata Party (JP) – 1; Soshit Samaj Dal – 1; *and* Akhil Bharatitya Hindu Mahasabha – 1.
(u) Rashtriya Shikhask Dal – 3; Shikshak Dal – 7; *and* Nirdaliya Vidhayak Dal – 1.
(v) All India Forward Bloc – 27; Revolutionary Socialist Party – 18; West Bengal Socialist Party – 4; Forward Bloc (Marxist) – 2; Democratic Socialist Party – 2; Socialist Unity Centre of India – 2; Revolutionary Communist Party of India – 1; Muslim League – 1; and Nominated – 1.
(w) Dravida Munnetra Kazhagam – 9; All India Anna Dravida Munnetra Kazhagam – 3.

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